

By Mr. GODWIN of North Carolina: A bill (H. R. 14292) for the relief of Ethel A. Fullwood; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14293) granting a pension to James McCray; to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 14294) granting an increase of pension to Mary E. Lynde; to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 14295) granting a pension to Bridget Margaret Geraghty; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 14296) granting an increase of pension to Rutherford H. Bowsher; to the Committee on Pensions.

By Mr. ROBSON of Kentucky: A bill (H. R. 14297) granting a pension to Kittie Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14298) granting a pension to Hiram L. Hensley; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 14299) granting a pension to Lucy Sanders; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14300) granting a pension to Margaret Gilbon; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14301) granting a pension to Polly Marsee; to the Committee on Pensions.

Also, a bill (H. R. 14302) granting a pension to Creed F. Casteel; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14303) granting a pension to Mary Kirk; to the Committee on Pensions.

Also, a bill (H. R. 14304) granting a pension to Mrs. Albert B. Hoffman; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 14305) granting a pension to Harriet E. Sabin; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 14306) for the relief of Walter R. Smith; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 14307) granting a pension to Edwin S. Fager; to the Committee on Pensions.

By Mr. WISE: A bill (H. R. 14308) for the relief of J. H. B. Wilder; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3971. By Mr. CULLEN: Petition of Henry F. Osborn, jr., Marvin G. Sperry, and the Tobacco Merchants' Association of the United States, in connection with bonus legislation; to the Committee on Ways and Means.

3972. By Mr. DARROW: Petition of 73 residents of Germantown, Pa., in behalf of increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3973. Also, petition of 34 residents of Philadelphia, Pa., favoring passage of House bill 13334; to the Committee on the Territories.

3974. Also, resolution of the Commercial Exchange of Philadelphia, Pa., opposing a cash bonus for able-bodied service men; to the Committee on Ways and Means.

3975. By Mr. ESCH: Petition of 46 residents of Wisconsin, against compulsory military training; to the Committee on Military Affairs.

3976. Also, petition of Illinois Grain Dealers' Association, protesting against passage of section 704 of House bill 13874; to the Committee on Agriculture.

3977. Also, petition of the Tobacco Merchants' Association of the United States, protesting against proposed tax on tobacco; to the Committee on Ways and Means.

3978. By Mr. FULLER of Illinois: Petition of Disabled Men's Bureau of Service and Legislative Relief, opposing pending bonus bill; to the Committee on Ways and Means.

3979. Also, petition of the Air Reduction Sales Co., of Chicago, Ill., concerning pending patent legislation; to the Committee on Patents.

3980. By Mr. GALLIVAN: Petition from Francis J. O'Hara, South Boston, Mass., and 75 others, requesting passage of legislation which will provide suitable living wages for the employees of the Postal Service; to the Committee on the Post Office and Post Roads.

3981. Also, petition from Thomas L. Walsh, South Boston, Mass., and 100 others, requesting passage of legislation which will provide suitable living wages for the employees of the Postal Service; to the Committee on the Post Office and Post Roads.

3982. By Mr. GOLDFOGLE: Petition of the Workmen's Circle, Branch No. 8, and the Sons of Unterstuetzungs Verein, Branch No. 68, New York, favoring amnesty for military prisoners; to the Committee on the Judiciary.

3983. By Mr. HADLEY: Five petitions signed by E. T. Rioridon and 28 others, Carroll Lewis and 18 others, Ulrick Holten and 27 others, Charles Thorsen and 19 others and James Lawless and 19 others, all ex-service men, from the Private Soldiers' and Sailors' Legion of Washington, favoring a cash bonus of \$500 for ex-service men; to the Committee on Ways and Means.

3984. By Mr. KELLY of Pennsylvania: Petition of Chamber of Commerce of Pittsburgh, Pa., urging increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3985. By Mr. LONERGAN: Resolutions of the Diocesan Convention of the Episcopal Church of Connecticut, that the obligations of the United States in the Near East be faced; to the Committee on Foreign Affairs.

3986. Also, resolutions of the Typewriter Lodge, Hartford, Conn., of International Machinists, for the repeal of the wartime sedition laws; to the Committee on the Judiciary.

3987. Also, resolutions of the Connecticut Pastoral Union of Hartford, Conn., favoring the acceptance of the mandate for Armenia; to the Committee on Foreign Affairs.

3988. By Mr. MCLENNON: Five petitions of unions, associations, corporations, and individuals, of New Jersey, favoring increase in salaries of postal employees; to the Committee on the Post Offices and Post Roads.

3989. By Mr. O'CONNELL: Petition of Henry F. Osborn, jr., the William Whitman Co., and the Tobacco Merchants' Association of the United States, all of New York, in connection with bonus legislation; to the Committee on Ways and Means.

3990. By Mr. ROWAN: Petition of New York Employing Printers' Association, Butterick Publishing Co., and the Universal Leaf Tobacco Co., of New York, favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3991. Also, petition of the Merchants' Association and the Columbia University Post, American Legion, of New York, in connection with the bonus legislation; to the Committee on Ways and Means.

3992. By Mr. SNYDER: Petition of sundry residents of the thirty-third New York congressional district, favoring the passage of House bill 10925, offering Government aid to all States who will join in the maternal and infant-welfare work; to the Committee on Interstate and Foreign Commerce.

3993. By Mr. TAGUE: Petition of sundry citizens of the State of Massachusetts, urging increased pay for postal employees; to the Committee on the Post Office and Post Roads.

3994. By Mr. VAILE: Petition of Montrose Lodge, No. 1053, Benevolent and Protective Order of Elks, Montrose, Colo., pledging their support in suppression of the activities of the I. W. W., Bolsheviks, and kindred organizations; to the Committee on the Judiciary.

SENATE.

SATURDAY, May 29, 1920.

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 11 o'clock noon, on the expiration of the recess.

MAIL SERVICE IN ALASKA (S. DOC. NO. 282).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General stating that, pursuant to law, a special contract had been entered into with the Alaska Engineering Commission for carrying the mails as far as trains may be operated during the next winter season between Seward and Fairbanks, Alaska, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

NATIONAL ZOOLOGICAL PARK POLICEMEN (S. DOC. NO. 283).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Smithsonian Institution submitting a supplemental estimate of appropriation in the sum of \$4,160 required by that institution to provide additional compensation for the policemen at the National Zoological Park, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the

bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 400) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The message also announced that the House agrees to the concurrent resolution of the Senate authorizing the Clerk of the House in the enrollment of the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes," and for other purposes, to add a new section, and also to amend the title.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 14197. An act to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes; and

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims;

H. R. 3184. An act to create a Federal power commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes;

R. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921; and

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

PROPOSED SOLDIERS' BONUS.

Mr. MYERS. Mr. President, I ask the indulgence of the Senate for a few minutes.

I have received from constituents many inquiries as to my attitude toward proposed legislation for a cash bonus and other benefits for former service men. Quite a number of my constituents who are former service men have urged me to support legislation to pay a cash bonus to former soldiers and sailors; some former service men among my constituents oppose a cash bonus.

I have given the matter of legislation for former service men careful consideration, and have arrived at a conclusion as to my duty and my course, and am ready and free to make it known. In order that it may be known to all who may be interested I will here state it.

First and foremost, I am in favor of doing everything within the bounds of reason for our former service men who are crippled, maimed, disabled, or incapacitated from wounds or other results of their service so that they are not able or not so well able as before their service to make a living and get along in the world. For those unfortunates I feel we can hardly do too much. I favor every feasible provision of law and appropriation of necessary money to rehabilitate them, give them vocational educational training, and fit them to make a living, so they will not be dependent upon charity or under unnecessary disadvantage in the battle of life. I also favor liberal compensatory benefits for them. I favor very liberal legislation for the benefit of that class of service men who sacrificed so much.

Furthermore, I favor liberal legislation and appropriations to reclaim arid, desert, swamp, cut-over, and other barren lands

for the purpose of reclaiming farms for such former service men as may desire to acquire land and follow farm life. Indeed, I introduced a bill to that effect. It was approved by Secretary of the Interior Lane, and is now pending. I favor legislation to give employment at such reclamation work to former service men at good wages and to equip them for farming and to sell the lands to them on long-time payments at a low rate of interest. We need to encourage a back-to-the-land movement. We need sturdy young men on farms. We need to divert population from the overcrowded, congested cities and industrial centers. We need to increase farm production. Therefore I have from the beginning favored former Secretary Lane's plan to induce former service men to buy land and go to farming and to help them to do it.

Further than those two projects, though, I am not willing to go. I am not willing to lend Government money to former service men to buy homes in cities and towns. There are too many people now in cities and towns. I am also opposed to the payment of any cash bonus to former service men. I think the plan would be unjust, unpatriotic, unwise, and un-American. It would put the dollar mark on patriotism. It would commercialize patriotic duty. Its effect would be debasing. It would be contrary to principle. There is a principle involved. Citizens owe a duty to defend their country when its existence is threatened; and they should not expect cash rewards for performing that duty.

It is said that those who stayed at home during the war made more money than those who served in the Army. Some did, but not all. I stayed at home and upheld my country during the war, and for doing so received no more than board and clothes for myself and family. I am not asking a bonus. Even if some who stayed at home did get more money than they should have gotten, two wrongs do not make a right.

I think young men who either volunteered or were drafted and who received \$30 a month and their keep, all expenses during their service, together with two months' extra pay at discharge, already paid; who were provided with liberal insurance and compensation laws; who received the benefits of the drill and discipline of Army life, either in camp in this country or in the field in France; some of whom went abroad and had opportunities of seeing the world that otherwise they probably never would have had; and who did a patriotic duty and returned to this country safe, sound, unscratched, and untouched, without being wounded and without suffering in health, should not expect the people of this country to go down in their pockets and pay them an additional cash price for their patriotic service.

No cash bonus has ever been voted to the soldiers of this country who served in any war. It was not done for those who served in the Revolutionary War, the War of 1812, the Mexican War, the Civil War, the Spanish-American War. I do not see why it should be done in this instance. The soldiers who served in the war with Germany were given the most liberal insurance and compensation laws ever awarded to the soldiers of any war waged by this country, and I think those who returned unhurt should be satisfied.

I do not believe the country is in a condition to justify voting a cash bonus of a billion dollars or more to returned soldiers who were unhurt. Taxes are enormously high and will be for a generation to come. The necessary expenses growing out of the war will require huge appropriations by Congress for many years to come. The cost of living is frightfully high. People are now groaning and staggering under burdens of high cost of living and excessive taxation, and will continue to do so for a number of years. To go to work now, in addition to all of this, and take at least a billion dollars more out of the pockets of the people and give it to young men who returned unhurt from the war I think would be unjust, and I do not think it should be asked.

No matter how the money might be raised it would be bound ultimately to be paid by the consumer. It might be by a tax on sales, it might be by a tax on stock transfers, it might be by a tax on dividends, it might be by some other form of taxation, but it would come from the consumer, and that would mean that people of all classes would have to pay it. The tax might be put on the net profits of corporations, but inevitably they would add it to the cost price of their products, and the consumer would pay it. This proposal is one for the benefit of the few at the expense of the many, and I am opposed to that kind of legislation. I am and always have been opposed to all class legislation for the benefit of the few at the expense of the many, whether in the form of a high protective tariff or any other form of class legislation. In my opinion those who originated this scheme simply planned a raid on the Treasury and they thought Congress would be too cowardly to resist the demand. The movement in Congress for a cash bonus, so far as

the Members of Congress are concerned, I believe to be simply a scheme of both political parties to buy the soldier vote at the expense of the people, and I shall not be a party to it. I yield to none in devotion to and admiration for the defenders of our country, but these are times when we should be cautious about dipping into the Treasury and being generous with the people's money. Rigid economy in public expenditures should be exercised.

These are my views. They may not be popular with most former service men, but I am conscientious in them and I intend to adhere to them.

I know there are many former service men who do not encourage the movement for cash bonus and do not look with favor upon it. I have a clipping from the Washington Post of the 23d instant, which is a communication on that subject to the public, from a former service man. It contains much good, sound sense and I ask that it be incorporated in the RECORD in connection with my remarks. It is as follows:

EDITOR THE WASHINGTON POST:

As a volunteer of the second day of war, and, moreover, one who could make speedy use of money, I feel qualified in voicing opposition to the proposed bonus for former service men. I shall do this by meeting the arguments as they have been made by soldiers themselves, though generally misunderstood and hence a cause for discontent on both sides.

It is declared in defense of the measure that the purpose is not to reward for dutiful service, nor to pay a price for patriotism (which would render it obnoxious even to its beneficiaries), but merely to pay additional compensation, their wages having been very low; that many slackers took advantage of their absence, receiving high salaries and permanent means of support, while those to whom these might have gone were fighting their country's battles without possibility of saving money and without final adjustment of wages; that service men should not be forced to incur financial loss over and above the risk to life, limb and health, and the horrors of war.

This general complaint of bonus advocates is first largely unjust, and besides is outweighed by other considerations which should command the attention of their better nature.

It is a fact that the wages of a private were only \$30 per month, but food, lodging, furnishings, doctor's bills, and most of our clothes were furnished free of charge, thus eliminating for us the high cost of living which beset the tax-ridden civilian. If the average salary received by our men before enlistment or conscription is compared with this and all it includes it is doubtful whether the difference is great. But in addition to this Congress helped those with dependents, granted all a \$60 bonus on discharge, and offered them insurance at enormous loss, allowing them to continue it for life at the same low rate, no matter how far back it expired.

Hence it would appear the disparities have already been adjusted. As to the cases where they have been displaced by civilians, this has already been partially, if not entirely, balanced by the general precedence given to former service men. Further steps in their favor to preclude advantage by those who stayed at home (not all of whom were slackers) would be possible without a universal tax for the benefit of those who fought (many of whom were slackers prior to conscription).

But grant for the moment that our salary was far too meager, and that it was not compensated by insurance and precedence in employment. Obviously, if the American Legion is to consider nothing except justice to itself, it can not legitimately demand further payment, since aggravating the cost of living does not militate against paying what one really owes.

Even then the bonus should be opposed by the soldier because every dollar spent on the able-bodied man means many dollars less for each of the smaller number of wounded, blinded, and stricken, and the mothers and wives who lost their only means of support. One may say that Congress should provide for both. They could, but they wouldn't to any extent, because the public would not endure the constant taxation. The greater the sum expended on the American Legion the greater the protest against further bonuses, and the victims of the war need every cent they can be furnished as just remuneration.

Besides the increased cost of living through inflation of currency, more will be consumed and wasted by the beneficiaries of the tax, and, furthermore, labor for harvesting crops will be almost impossible to secure in abundance, especially among negroes; which means loss to the farmer and perhaps more world-wide suffering for bread.

Therefore, I urge the American Legion to put all of its force behind a praiseworthy bonus, which step will redeem it from the obloquy into which it has begun to fall. If we are to become another of those damnable lobbying organizations whose business it is to pester and threaten Congressmen into voting against their convictions, we had better break up at once. With such an exacting spirit, which is nothing but self, we would be a public nuisance. For my part I shall never accept for my own pleasure a reward which to some one else might mean the difference between sickness and health. Even if we had it coming to us, as I am convinced we do not, we should pass it on to those who need it more. Our motto should be "Millions for the needy, but not one cent of gratuity for able-bodied men."

Respectfully submitted.

PAUL MORRIS,
George Washington Post, No. 1.

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

Mr. THOMAS obtained the floor.

Mr. McCUMBER. Will the Senator yield to me to give a notice?

Mr. THOMAS. Certainly.

Mr. McCUMBER. I wish to give notice at this time, and I ask the attention of the Senator from Utah [Mr. KING] to it,

immediately after the vote upon the pending Spanish War pension bill, that I shall call up the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. KING. I understood that the Armenian resolution was to have the right of way to-day.

Mr. McCUMBER. I think we can dispose of that in a short time, and we ought to get through with the pension bills. I call the attention of the Senator to the fact that some of them have been on the calendar since last September.

Mr. KING. Does the Senator intend to displace the Armenian resolution?

Mr. McCUMBER. I intend to call up House bill 12530, whatever it displaces at that time.

Mr. THOMAS. Mr. President, I have no doubt the Senator from North Dakota will succeed in securing the consideration of the bill to which he refers, because the Senate has an unwritten rule that all business of all kinds, however important or unimportant, shall give way to pension bills. The notice, therefore, is superfluous.

It is a perfectly hopeless task to oppose a pension bill unless it is designed to do something for the soldiers and officers of the Regular Army. A bill has been on the calendar since the 20th of January designed to give relief to officers and soldiers of the Regular Army. No attempt has been made to call up that bill and dispose of it. No attempt will be made at this session to do so.

Unfortunately for the beneficiaries of that class of pension bills they are few in number and have no political influence whatever. They are not organized, hence they must, like Lazarus and the dogs, content themselves with such crumbs as may fall from Uncle Sam's table, which in these days are very few. There are too many other pension guests at the feast.

Some time ago I had occasion to discuss in my feeble way some features of the so-called Fuller pension bill, which adds to the general expenses of the people the very generous sum of \$65,000,000. One result of my strictures was to inspire the adverse criticism of a newspaper in the city of Washington called the National Tribune, a paper devoted to patriotism and pensions. It regards the two terms as synonymous, and has acted very consistently upon that definition. I have suspected and once intimated that the paper was established for and lived by its advocacy of pensions—pensions for everybody, pensions for everything, pensions for the just, pensions for the unjust, pensions for those in actual battle, pensions for those who after the conflict regretted that they had not gone, but who served their country in less hazardous positions.

That suspicion, Mr. President, has been strengthened by my receipt during the first part of the present month of this letter. It is written from Fort Lupton, Colo., route 1, box 27, May 2, 1920—

Mr. THOMAS, M. C.:

As you have helped me in the past in regard to my pension—

I plead guilty, Mr. President. It is impossible to be in Congress without occasionally falling by the wayside—

I thought maybe you would advise me again. I received a letter—

And I commend this to my Republican friends on the Pension Committee—

I received a letter from the National Tribune saying there was a bill for increased pensions, and if I would send \$2 for a year's subscription for their paper, it would be a help to have the bill passed. Instead of getting \$25 a month I would get \$30. My pension is all I have to support myself, and \$2 means something to me. If I thought it would help to pass the bill I would gladly send the money. Please advise me and oblige.

I was strongly tempted to answer by saying if she would only send that direct to me instead of in this roundabout way it might accomplish some good purpose. But it clearly consisted, under the circumstances, of that species of graft which the National Tribune lives on and is evidently levying upon every pensioner and every would-be pensioner who seeks the largess of the American Congress. There are over 600,000 of these. If 10 per cent of them respond to the request of this paper, its revenues can be easily estimated and its motives for advocating pensions will be understood.

I can afford, Mr. President, to enjoy the disapproval of public plunderers who under the guise of a public periodical devoted ostensibly to that species of patriotism which falls within Samuel Johnson's definition, if I have incurred it by reason of anything I have said or may say in this body about them.

Coming now, Mr. President, for a moment to the pending bill, it is a modest one compared to the Fuller bill. It will add something like \$15,000,000 ultimately, if the report of the com-

mittee is to be accepted, to the annual expense charge of the Government; but it is the beginning of another pension system whose dimensions will expand with the flight of time and find material expression in subsequent legislation here. The bill does not propose to limit relief to those soldiers and sailors mentioned in the title of the bill because of disabilities received in the service, but to make them the wards of the Government if at any time after their honorable discharge, through no fault of theirs, they become disabled in whole or in part, mentally or physically, from earning a livelihood, whether they have means or are without them; in other words, the theory of this bill is to take over and to support at the expense of the tax-paying public any man who, having served the Government of the United States and worn its uniform in certain wars and expeditions, shall in afterlife, through disease or accident or misfortune, be unable, in the opinion of the Pension Bureau, to fight the battle of life and to make a livelihood for himself. Now, let us see. The bill provides:

That all persons who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, and the China relief expedition, and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall, upon making due proof of the fact—

And so forth.

Mr. President, this is a deliberate and premeditated perversion of the whole theory of pensions. Talk about the establishment of privileged classes! Why, here is a privileged class not only established but encouraged by law. It is the easiest thing in the world for a man, encountering adverse circumstances or suffering from disappointments in active life, to believe that he is mentally or physically incapacitated from earning a living; and this, easy as it is, receives encouragement by the invitation of the Government to believe so, submit to an examination, and become a beneficiary of the Government.

This is an instance—I was about to say a conspicuous one, but it is not—this is a common illustration of the progress the people of the United States are making toward universal paternalism. What is the Government of the United States? The average man and woman of this generation regards it as an abstract entity possessed of superabundant wealth, of inexhaustible resources, and existing only to care for every person who assumes that he or she is unable to take care of himself. We have ceased to speak or think of the Government of the United States as our very own; as an institution of which every man and woman is a distinct unit; as something created because essential to the security of life and of property, to the administration of justice, and to the safeguarding of personal rights, with the enforcement of their accompanying responsibilities everywhere. That has gone. If you encounter trouble in these days, go to Washington, but organize before you go. Then call on your Representative and on your Senators; tell them your needs and insist upon their recognition and relief, regardless of cost. Go upon the principle that he who doubts your story is damned, and that he who refuses is to be retired from public life; and in nine cases out of ten Congress will "come through," for we can face anything except the hazard of defeat for reelection.

In fact, I do not know why Congress sits in these days except to introduce bills for appropriations and then insist upon their recognition by a majority. Inasmuch as all of us have our particular appropriations and this is an age of combination and concentration, how easy it is for us to get together and say, "You help me with my appropriation and I will help you with yours!" We can both get Brown's assistance and that of John Doe because those gentlemen are similarly circumstanced. Hence, Congress has become an aggregation, a combine, a cooperative association, for the purpose of getting money from the Treasury and squandering the taxes of the people, and the more we squander the more the appetite grows for Federal aid.

Public taxation is equivalent to \$50 a head for every man, woman, and child in the United States. With a deficiency immediately confronting us of \$3,000,000,000, which must be paid by additional taxes, we welcome the consideration of and are eager to pass bills bound to increase that deficiency, knowing that they will increase that deficiency, and largely because a presidential election is approaching, largely because the Republican Party wants votes and is perfectly willing to buy them from the Public Treasury, largely because the Democratic Party needs votes worse than the Republican Party and is therefore the more anxious to buy them from the Public Treasury. So we are engaged, Mr. President, in a mad race for political supremacy in America at the cost of the taxpayers. I will not take part in it.

Mr. Bryan announces, unless he has been misrepresented, that he proposes to insist upon a bonus plank in the platform, plus the unconditional acceptance of the so-called labor program. To be consistent, he should include in his program his proposal for a constitutional amendment, which he advocated the other night, establishing the single standard of morals in America. Write those things upon our banner, and write the "in hoc signo vinces" of old Constantine upon the banners of the enemy. I will not support such a platform. There is nothing democratic in it. It is in conflict with every tenet of democracy. When my party reaches that degree of demagoguery, of misgovernment and mobocratic action, I part company from it and from any party so insensible to public thrift and security, to principle, and to the ancient faith of the fathers. Such a program presages disaster beyond any attitude or proposal of other days.

So much, Mr. President, for the features of this bill, which will pass, of course. Three lone, lean, solitary votes were mustered over here in opposition to the motion submitted to take it up—three; count them; that is all. The only comfort I get out of it is that the three call themselves Democrats. God knows what we are in these days, but are nominally branded with that appellation.

Mr. President, the pendency of this bill prompts me to direct public attention to another combination for more public money which seems sufficiently powerful to enlist in its behalf all associations, all political interests, all social interests, and a possible majority of the individuals in the United States. I refer to the proposition to increase salaries in the Postal Service. I intended to bring over the mass of mail and telegrams which have reached me on this subject, but I am not as strong as I used to be, and I was not able to carry them, and my secretary was busy, so I did not impose the burden upon him. They all indicate, Mr. President, that the Postal Service is starving; that because of a niggardly Government the service is becoming demoralized; and that unless this particular largess is given and given quickly, the whole postal organization will soon go to the devil; in fact, we are warned that it is on the road there now, due largely to the inability of the postal employees to live upon present salaries, and to the consequent existing need for increased compensation. The cry is, "Help us, Cassius, or we sink."

Mr. President, some of these letters have appealed to me. If I were a candidate for reelection, possibly a great many of the urgent solicitations coming from the various civic societies of my country would have been convincing to me. They may do so yet. I do not know. If perseverance and quantity of bombardment are the tests of success, then I am gone. To be perfectly serious, let me say that I may support the measure when it comes from the committee; but I want to exercise my own judgment about it if possible and after the facts are available. I am afraid I shall not have the opportunity. Names are invidious, but I know a great many Members of this body who will support it under the compulsion of propaganda, just as I might if I were obsessed to remain in the performance of disagreeable and unpopular duties such as I now confront.

I called attention to the full-page advertisement appearing in the New York Times last Monday and I think in 200 other papers in the country, consisting of an article in the Literary Digest of May 22, entitled "Are postal employees human beings?" and I suggested that an organization having money enough to pay for advertising at that rate was more prosperous than Uncle Sam, relatively speaking, and a combination which could carry on a campaign like that were in a class with those other combinations in the good old days of the Payne-Aldrich and the Underwood bills, whose similar practices were universally condemned, and contributing to the retirement of the Republican Party in 1912.

I met a gentleman the next morning who said, "You have only skimmed the surface of that situation. Are you not aware that the Literary Digest published this article upon the 22d of May under an agreement to secure its recognition in several hundred newspapers in the United States in consideration that these organizations would undertake to increase its circulation by some three or four hundred thousand?" "No," I replied. "Well," he said, "Don't you know that they did increase it some three or four hundred thousand for that number?"

"Did you know that by the contract would-be beneficiaries were to continue their bombardment of Congress in this interest, and that in the event of success the periodicals of the country are to have the support of the civil service postal employees of their demand for the repeal of the present rates of second-class postage?" "No," I said, "I did not know that." I regarded the Literary Digest as an uplifting, inspired, educational periodical to which money was but a secondary consideration, and only

to the extent of enabling it to continue its mission of instructing the people.

A day or two afterwards I received a document bearing on the subject which I will read:

New York post office.
Supervisory Employees' Association.
Member National Association Supervisory Post Office Employees.

Rather a formidable organization of gentlemen and ladies supported by the Government of the United States.

Officers:

Albert Firmin, president, General Post Office; Frederick Mulker, vice president, General Post Office; John J. Kiely, financial secretary, Grand Central Station; Joseph Willon, recording secretary, Times Square Station; George B. Cutler, treasurer, City Hall Station.

May 8, 1920.

Brother Supervisors:

What a fraternal greeting that is! The modern relation between all propagandists is a fraternal one. It is about the only evidence of the survival of moral qualities in the United States. We used to have brothers in Christ, brothers in lodges, and brothers-in-law, brothers in arms, brothers in love, brothers in affection; but if anything is more grievously conspicuous since the close of the war than anything else, it is the submergence of the human spirit, the spirit of the Golden Rule, the desire for service. That altruistic element of our nature which is the solid foundation of Christianity and of every other successful religion is gone for the present. Two impulses now govern us, consciously or unconsciously:

First—

That they should take who have the power,
And they should keep who can.

And the other—

Every man for himself, and the devil take the hindmost.

And I assert that all of the schemes and plans for benefiting humanity, for restoring our normal status, and for returning to a sane and safe condition in life, are impossible until the old spirit of fraternity, of human sympathy, of service, of justice, and of altruistic association shall again assert itself among the sons of men.

But let me proceed with this letter.

BROTHER SUPERVISORS:

We are carrying on a campaign in New York the object of which is to insure the enactment of legislation in our behalf before the adjournment of Congress.

I believe we adjourn on the 5th, do we? Somebody in authority has said so.

We need your assistance. One supreme effort is called for at this time. If it is joined in by everyone it will be successful. Can we count upon your assistance?

The particular object of this letter is to bring to your attention that the Literary Digest of this city has promised us a very wonderful program in support of our appeal. In its issue of May 22 will appear a stirring article in our behalf. The management is not only going to print this but it has volunteered to bring the justice of our appeal to the attention of over 200 newspapers throughout the United States in which it advertises. Also to write personal letters to influential men throughout the country supporting our cause—

I must be an exceptionally influential man, because I got two of them.

The publication recognizes the justice of our appeal, and it has come to our support with whole heart.

Well, there is nothing like assuming a job in that spirit.

We believe that it is of the utmost importance to disseminate what the Digest is about to publish. Will you not immediately urge your post-office associates and all with whom you come in contact to immediately order copies of the Digest for May 22 through their news agents? Do not delay this until the papers arrive, for the supply will be bought up, but get your orders in in advance, and if necessary have your news agent telegraph for them. The papers when obtained should be brought to the notice of as many people as possible. This matter affects the whole service: rural free delivery, letter carriers, clerks, supervisors, and all. Will you not bring it to the attention of everyone? We intend here to have the article distributed to barber shops, cigar stores, and elsewhere where people congregate. Please drop me a postal as to your intentions. We feel the help given is so valuable every employee will want to get a copy.

Sincerely,

ALBERT FIRMIN, President.

There is no question about its value. The article duly appeared on May 22, pretending to have been written after careful, exhaustive, and impartial investigation into the merits of the claims of this service. Here is a copy of the Digest for that date. I was curious enough to compare its advertising space with its reading space.

This issue comprises 162 pages, of which reading matter occupies 64, advertisements 97, and this post-office article—which, of course, is free, without money and without price—one. By far the larger part of the paper is given to advertisements. The number of postal employees aggregates somewhere in the neighborhood of 300,000; so who can say what the added profit to this disinterested journal of civilization was upon this one issue? And, Mr. President, we know from experience that the

circulation by the Postal Department of papers like this cost the Government some 75 per cent of the cost of that service—60 per cent, certainly.

I do not know what the circulation of the Literary Digest is, but I will venture to assert it is somewhere in the neighborhood of a million copies, in which event every issue doubtless costs the Government for its circulation somewhere in the neighborhood of \$750,000. I am giving these figures at random. I do not pretend to accuracy. I know one journal with a greater circulation that costs something like \$4,000,000 for that service; and the small proportion of amount which they are required to pay, notwithstanding it is ridiculously small, the periodicals of the country are determined to relieve themselves of, if possible, upon the plea that they are educating the people; that you should not tax literature. All is fair in war; hence the contract of the Literary Digest, for that is what it is, disguise it as you may, plainly expressed it amounts to this: "We will get your salaries increased, gentlemen, if you will help relieve us from this postal taxation and add two or three hundred thousand to our circulation. Congress is easy, especially on the threshold of a campaign; and together we will bring enough pressure behind every Member of the Senate and of the House to put both proposals through, yours first and our afterwards."

The Literary Digest is thrifty—thrifty because it is shrewd. That periodical paid for every one of these advertisements in other newspapers all over the country.

I can not prove that, but I am so morally certain of it that I do not hesitate to state it upon the strength of the letter which I read; moreover, the name of the periodical at the bottom of the advertisement appears with a nice little circle on either side referring to it. The first reads:

It is a mark of distinction to be a reader of the Literary Digest.

And the second—

For a single dime at the news stands each week.

So that this paper, for the money advantage which it proposes to get in additional circulation, in additional advertisements, and in additional charges for advertisements because of this increased circulation, seems to have prostituted its great influence in America for individual gain, for money, and pharisaically exploits a presumably terrible condition of these employees that it may increase its profits and its revenues perhaps a hundredfold. This is simply another development of the class commercialism of the time and of that constantly accelerating tendency to make poor old Uncle Sam "cough up" at all times and on all occasions and for everything to everybody.

The money which we pay is not ours; we are only trustees; consequently we pay it. The appropriations which we make here, of hundreds of millions of dollars upon the vote of 15 or 20 Senators, is not our money, it belongs to the people.

Vanderbilt years ago, in a moment of excitement, said, "The people be damned." One of the heads of the striking coal miners last December used the same expression. I think, Mr. President, that Congress might well adopt it as a standing motto, for by our fruits we should be known.

Of all the political hypocrisies which have characterized political parties in the United States, commend me to their repeated pledges to economy in public administration. If anything looking like economy should enter the doors of the Senate from either direction, in all probability it would be summarily ejected by the Sergeant at Arms, acting for the Senate, as a public nuisance.

But, Mr. President, this can not go on forever. The Treasury of the United States is not a Tennyson's brook, and the man who must continue to dig and to dig and to dig lower and still lower in his jeans for our ever-increasing taxes will dig a hole in the bottom of his pocket after a while, after which I do not know what will happen, but I can suspect. I do know that as man can not live except he have the wherewithal to sustain him, so nations are similarly conditioned. With this constant waste at the bung-hole, with here and there a microscopic saving at the spigot, it requires no prophet to predict the consequences.

When the paid civil service of the Government of the United States, which this administration has permitted to organize, unites its tremendous collective power with a private agency for the mutual purpose of obtaining additional moneys from the Treasury and from the people, those of us who have apprehended sinister consequences from such combinations are beginning to realize that our apprehensions were not overdrawn. Why should not the bonus proposition make a similar arrangement with the Literary Digest, or some other great and virtuous disseminator of public information? Indeed, why should they not unite with this identical movement, instead of making two bites at the Treasury?

The river and harbor people and the public building people, materializing their request in the shape of appropriations running into millions, "look like 30 cents" when compared with the movements now in progress for unlimited appropriations.

Mr. President, if I have done this paper an injustice, I shall regret it. The task has not been a pleasant one, and I hope that the information which I have received is exaggerated. But I do not think so. I am told by a high official in the Postal Department that the Postal Service is well paid, and that the compensation averages from 25 to 30 per cent more than the employees could make in private life. I do not assert it, but my authority is undoubted.

The Digest in its issue of May 29 publishes some of the testimony taken before the committee given by employees who say they have gone hungry for years, by others who say they have suffered because of the meagerness of their compensation.

Mr. President, if in this country a man possesses any sort of energy, mental or physical, working for the Government, who, because of lean salaries, is obliged to ration himself below the limit, he is not entitled to much sympathy, for the very good reason that the world outside is clamoring for his help and anxious to pay for it.

I saw an article in the Milwaukee Sentinel the other day calling attention to the unanswered appeals of 10,000 farmers in Wisconsin for help on the farms at \$100 a month and found, and of an equal number of ex-service men who are living upon the \$13,000,000 bonus of that State, and, therefore, reluctant to resume their old occupations or any other employment. How it is possible under such circumstances for a man to deny himself the needs of life by staying in the public service is beyond my comprehension. It can be explained in one way, which is the power to utilize the union by forcing increased compensation from time to time as need or cupidity, or both, may determine.

I have said, Mr. President, that I hope the position occupied by the Literary Digest has been overstated to me. There is no power in a free country like the power of the press, whether that power be properly or improperly directed. The dissemination of bolshevistic literature, as it is called, unquestionably exercises an influence upon the minds of those who read it. The influence of the so-called Hearst publications is well nigh without limit. The man who owns them has a potential force which enables him, if properly exercised, to do more good in this world than any man I know of, and I fervently wish that this mighty influence, Mr. President, could always be exerted in behalf of the ideals of life, in advocacy of the old, homely, Anglo-Saxon virtues under whose dominion the foundations of this Government were laid. I would to God that, casting aside all questions of compensation or material gain, or political authority, those in control of this mighty influence would at this hour of the world's crisis rise to the heights of the supreme occasion and use it in bringing our people and the peoples of all the world back to those standards and those principles the abandonment of which must inevitably lead to chaos and disaster.

I trust, Mr. President, that the publicity given this incident will arouse the journalism of America to the need of sustaining the Government in the encouragement of every movement designed to reestablish the fundamentals of the American Union; that they will condemn this contract as it deserves to be denounced by every honest man cognizant of its sordid covenants. I do not hesitate to say that a great journal, a respectable journal, an influential journal, a journal of wide circulation, coming in contact with all classes and conditions of men, a journal of high reputation and character, such as the Digest enjoys, which will engage in such a work or in any similar work for considerations which I have exposed is as dangerous to public morality and to the integrity of representative government as those journalists who openly advocate sedition and anarchy, for both lead in the same direction. The paths must eventually merge; the goal will be the same.

I desire to offer two amendments to this bill. Mr. President, one to amend the title and the other to amend the text.

Mr. NORRIS. I ask the Senator from Indiana if he will not consent to temporarily lay aside the unfinished business and let me call up the conference report on the Agricultural appropriation bill.

Mr. NEW. I have no objection, provided it does not occupy very much time. I know the Senator from Utah [Mr. KING] wishes to speak on this bill, and perhaps one or two other Senators, and we are operating under a unanimous-consent agreement.

Mr. THOMAS. I do not wish to interfere with the Senator's purpose, but I suggest the query whether we have power under the unanimous-consent agreement to take up anything else?

Mr. NORRIS. Let us get the opinion of the Chair on that. Mr. THOMAS. Certainly. That is the reason why I made the suggestion.

Mr. NORRIS. If that is true, then, of course I will not insist on it.

The VICE PRESIDENT. It is the opinion of the Chair that by unanimous consent any business may be done; but if there is a single objection, the pension bill must stay before the Senate.

Mr. NORRIS. I ask unanimous consent that the unfinished business may be temporarily laid aside, in order to take up the conference report on the Agricultural appropriation bill.

The VICE PRESIDENT. We are under a unanimous-consent agreement now, and a bill is before the Senate under that agreement. Is there objection to granting the request of the Senator from Nebraska?

Mr. NEW. I should be very glad to agree if there is no prospect that it will occupy any time in debate.

Mr. NORRIS. I do not think it will, but, of course, I can not guarantee that. However, if there is debate, I will not insist upon going on with it.

Mr. NEW. With the understanding that the Senator will withdraw it in case it does encounter much debate, I will yield.

Mr. NORRIS. I will let the Senator from Indiana be the judge on that proposition.

Mr. NEW. Very good.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska [Mr. NORRIS]?

There being no objection, the Senate proceeded to consider its amendment No. 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, disagreed to by the House of Representatives.

Mr. NORRIS. Mr. President, I wish to say just a word to let the Senate know what is the parliamentary situation. The only matter in dispute between the conferees on the part of the House and the conferees on the part of the Senate, as probably all Senators know, is what is known as the congressional free-seed distribution amendment. The Senate struck out that provision from the bill, but the House has insisted on retaining it. At another time the Senate requested its conferees to propose a compromise amendment. The House yesterday took up that compromise amendment directly and had a vote on it and it was defeated, as I remember it, by 4 or 5 to 1.

The conferees on the part of the Senate have reached the conclusion, and I think we are justified in it, that the Senate must recede from its amendment, and that the provision for free seeds must be allowed to remain in the bill or we will not have any Agriculture appropriation bill. The idea was expressed yesterday by the Senator from Colorado [Mr. THOMAS] that we ought to accept that challenge. The conferees on the part of the Senate, while I believe everybody will concede we have been just as anxious to exclude free seeds from the law as any conferees who ever represented the Senate on that question, still think that we can not afford to take that desperate remedy to bring it about, and particularly at this time, when interfering with the operations of the Agricultural Department would probably be a more serious blow than in any other year for a good while.

While I regret it and dislike to do it, we realize, I think, that it must be done, or no Agricultural appropriation bill will be passed. Therefore, under the circumstances, I move that the Senate recede from its amendment No. 93, the only thing left in dispute.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nebraska.

The motion was agreed to.

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

Mr. KING obtained the floor.

Mr. THOMAS. Mr. President—

Mr. KING. I yield to the Senator from Colorado.

Mr. THOMAS. The amendment which I offered is designed to include in the bill a pension of \$50 a month to Mrs. Mary Pope, the widow of Brig. Gen. Pope, of the Regular Army, a man who devoted 45 years of his life to the service of his country, and who was afflicted by a wasting and lingering malady at the close of his life, from which he finally died, and whose little substance was wasted in the care that he had to

receive during that period of his life. This widow is dependent upon the bounty of the Government for her everyday expenses. I think it is no more than just, under the circumstances, that such an amendment should be considered and agreed to.

The VICE PRESIDENT. Does the Senator from Colorado understand there is a pending amendment?

Mr. THOMAS. I do. I merely wished to explain my amendment briefly at this time.

Mr. McCUMBER. Mr. President, with the permission of the Senator from Utah—

Mr. KING. I yield to the Senator from North Dakota.

Mr. McCUMBER. I desire to say that I understand the amendment proposed by the Senator from Colorado covers the case of the widow of a Civil War veteran.

Mr. THOMAS. No; he was a Regular Army officer, a West Point graduate, a man who began at the bottom.

Mr. McCUMBER. Very well. In either instance the reasons I will give will apply just the same. We have introduced bills covering three classes of cases. There is, among other private pension bills, one that relates to Civil War veterans only. There is another that relates to the Regular Army Establishment. That which the Senator now desires to introduce as an amendment, which would be a special bill to amend general legislation, relates to the Spanish War. The Senator will find upon the calendar a bill relating to the Regular Establishment and covering these cases. I think the amendment should be offered to that bill, and he should not attempt to put a private bill on general legislation. We ought to get those bills up, and I think we will.

Mr. THOMAS. I have taken this amendment from the bill to which the Senator refers, but I understand there is no hope of doing anything for the Regular soldiers' pension bill at this session, and this is a case of need. This is the case of a widow whose husband gave his entire life to the military service of the country.

Mr. McCUMBER. If the Senator will allow me, I think there is just as much hope of getting that up as there is of the other, and there is hope for both of them.

Mr. ASHURST. Mr. President—

Mr. KING. I yield to the Senator from Arizona.

Mr. ASHURST. On yesterday I proposed to the pending bill the following amendment: Add a new section to be known as section 4:

That all Army nurses in the War with Spain, the Philippine insurrection, and the China relief expedition shall be entitled to the benefits of this act.

I perceive that the entire time between now and the hour set for a vote will be consumed upon the bill, and largely by its opponents; I, therefore, would not have time after 1 o'clock to make any explanation of my amendment. Hence I embrace this opportunity and thank the Senator from Utah for yielding me these two minutes.

The Senate should know something about the facts regarding the amendment. The amendment proposes to make the Army nurses of the War with Spain, the Philippine insurrection, and the China relief expedition eligible to pension under this bill. I am advised by The Adjutant General's office that there are no persons eligible for pension under the amendment by reason of service in the China relief expedition; that so far as the record discloses there were 1,700 Army nurses in the Philippine insurrection and the War with Spain, but the War Department has no means of ascertaining how many of those 1,700 persons are now alive, or how many would be eligible to pensions. But I am safe in stating that certainly not to exceed 1,700 persons, and, in my judgment, not nearly that number, would be eligible to receive pensions under this amendment if it were agreed to.

Mr. KING. Mr. President, the address just delivered by the Senator from Colorado [Mr. THOMAS] should admonish Senators, as well as those in public position, of the solemn responsibility which rests upon them, and stimulate a passionate desire for patriotic service and unremitting devotion to the cause of justice and righteousness. Upon other occasions this courageous Senator has called attention to the profligate expenditures of the Government and the constant usurpations of the Federal Government upon the rights of the States. It is to be hoped that his sober words will rouse the American people to an appreciation of the evils manifesting themselves in our land, and awaken a determination to preserve this Republic unimpaired in strength, unchanged in its original form, and undiminished in its beauty and capacity for genuine service for the people. Influences are at work in every part of our country to pervert the minds of the people and inculcate not only an erroneous but an absolutely untrue conception of the form

and character of our Government and the relation of the individual and the States to the Federal Government.

I have upon numerous occasions, perhaps with painful iteration, protested against the centripetal forces manifesting themselves in this Republic and the Nation-wide propaganda which tended to enervate the people and destroy individual initiative, prevent enterprise, and crush local aspirations and the capacity of the people for self-government, and to consolidate all administrative and governmental forces in the executive Federal agencies. I have attempted to combat measures which directly assailed the States and were in the interest of paternalistic policies now so pervasive in the land.

Every student of our political institutions and the growth and development of our country must be aware of the paternalistic menace which threatens our form of Government. In contemplating the social, economic, and political movements throughout our land, I am reminded of the words of De Tocqueville when he spoke of the condition of France in his day. He said:

The French Government having assumed the place of Providence, it is natural that everyone should invoke its aid in his individual necessities.

The Spartan and heroic virtues which inspired and controlled the founders of this Republic developed the highest form of character and strong, virile, self-respecting, and independent men and women. They sought the maintenance of vigorous and efficient communities and the development of a wholesome, progressive, and well-rounded community spirit and community life and the maintenance of puissant States, which reflected the independence and moral forces of the people.

When this spirit controlled the States and local self-government was the passion of the people there was a love of State and pride in State achievement, and the Constitution of the United States was regarded with affection and indeed with reverence. The Federal Government was regarded as one of enumerated and limited powers. The people fully approved of the view announced by our Supreme Court that the National Government has no legislative powers affecting the Nation as a whole, except those enumerated in the grant of power, and that the tenth amendment to the Constitution reserves all powers to the States not expressly granted to the Nation nor prohibited to the States. They indorsed the view expressed by Mr. Justice Miller that "the just and equal observance of the rights of the States and of the General Government as defined by the present Constitution is as necessary to the permanent prosperity of our country and to its existence for another century as it has been for the one whose close we are now celebrating."

The American people in those days said, "What can I do for my community, my State, and the Nation?" The people were imbued with the thought that the power was with them, not with the Federal Government; and that the prosperity of the people and the happiness and welfare of all classes in every part of the land as well as the preservation of liberty, rested with them. But nowadays the cry is, "What will the Government do for us?"

The colossal form of the Government, entrenched in power at Washington, seems either to have stupefied or terrified the people until they have reversed the position formerly occupied by the brave and heroic people of the States. They seem to regard the Federal Government as the source of all power and authority, and the dispenser of gifts, bounties, and largesses, and the source of light and power and prosperity and happiness.

Mr. President, this is a symptom of a malignant disease, one which must be cured or disaster must overtake the Nation. This hour calls for a calm examination of conditions. It is no time for emotionalism or hysteria, but the situation demands a stern inquiry into the psychology of the people and the tendencies of the time. There must be a return to fundamental principles, and an examination of the philosophy of Government and a comprehension of the principles upon which free nations are founded. It is somewhat paradoxical that we have been asserting with so much force and sincerity the right of local self-government—of "self-determination"—and the capacity of the people to govern themselves, and at the same time have in our own country set in motion policies and processes which will inevitably, if persisted in, destroy local self-government and home rule and the independence and autonomy of the States, and also develop a strong federalized imperialistic government functioning at the Capital of the Nation. We have denounced imperialism, and have insisted that the peoples of Europe should have the right of self-determination. The ethnographical and nationalistic lines, we have insisted, should be respected. Our public writers and statesmen have warned against consolidating forces in government, and our teachers and leaders have impressed upon the people the necessity of maintaining the spirit and faith essential for local self-government.

Even the great Marshall, who was charged by some Democrats as seeking the aggrandizement of the Federal Government at the expense of the States, appreciated that our Nation could endure only so long as political power was maintained by the people, and the rights of the States protected and preserved. Senators are familiar with his statement that "No political dreamer would ever be wild enough to think of breaking down the lines which separate the States and of compounding the American people into one common mass."

But, as stated, there is a spirit in the land to-day demanding the suppression of the States, and the building up of an omnipotent Government with not only paternalistic but with despotic powers. The cry, as I have stated, everywhere throughout the land is, "What will the Government do for us?"

Local evils prompt immediate appeals for national aid; individual ills cry aloud for Federal medication; local responsibilities prove irksome, and demands are made to the Federal Government to discharge the functions of the States. Executive agencies too willingly respond to the spirit of the times and encourage these Macedonian cries from communities and States, appreciating that the response thereto will augment their power and increase their emoluments, jurisdiction, and authority. So everywhere we are worshipping at the shrine of the National Government. The constant speech is concerning national authority, and national power, and national jurisdiction, and national aid, and national support. We forget the words of Wilson in the Federal constitutional convention, when he said:

To support with vigor a single government over the whole extent of the United States would demand a system of the most unqualified and the most unremitted despotism.

This same great statesman said:

The State governments ought to be preserved. The freedom of the people and their internal good police depend on their existence in full vigor.

Even Hamilton appreciated that the destruction of the States would mean the destruction of this Republic. In the Constitutional Convention he declared that—

It never can be the interest or desire of the National Legislature to destroy the State governments. * * * The blow aimed at the members must give a fatal wound to the head and the destruction of the States must be at once a political suicide.

The virtues which developed strong men and women, those who love liberty, and in whom the capacity for self-government exists, are not sufficiently appreciated in this day, when gaudy trappings and imperialistic power dazzle and satisfy many people. The wholesome virtues of thrift and providence and honest toil and labor are not the prizes sought by all the people.

Society seems to be in a fluid condition. Unrest and instability are found even among the most stable and conservative elements of communities. Wholesome and necessary individualism is deprecated. Individuals are turned from themselves and their own power and capacity by the false teachers throughout the land to the dazzling and ever-increasing power of the Federal Government.

If the soil is unproductive, the Federal Government must smile upon it and bring fertility. If transportation is inadequate, Congress must provide the remedy. If schools are insufficient, the Federal Government must appropriate from the Federal Treasury to relieve the situation. If there is poverty in the land, the Federal Treasury must open wide its doors for the relief of the people. Washington is to be a veritable Mecca to which the eyes of the faithful must constantly be turned. With the rising of the sun, with the tolling of the noonday bells, with the fading of the last rays of the sinking sun behind the western horizon, on bended knees we must prostrate our selves before the triumphant form of this omnipotent and all-merciful paternalism, in which we are to "live and move and have our being." It is to give us pensions and bounties and succor. It is the cornucopia yielding gifts for all.

It were better for our country if we remembered the words of John Stuart Mill:

The mischief begins when, instead of calling forth the activity and powers of individuals and bodies, government substitutes its own activity for theirs, when, instead of informing, advising, and, upon occasion denouncing, it makes them work in fetters or bids them stand aside and does their work instead of them. The worth of a State in the long run is the worth of the individuals composing it.

Exotic growths have been transplanted from foreign soil to our land. The fatal philosophy of Karl Marx has become the guide of some of our citizens, and the views of those who would confer upon the National Government autocratic power have impregnated others. Upon the one hand socialistic heresies are promulgated, and upon the other a sinister imperialism is suggested. Both seek to magnify the Executive power, and, in the language of Sir Henry Campbell-Bannerman, "They act upon

the passions of the people; conciliate them in classes and in localities by lavish expenditures."

In my opinion there is a deliberate effort being made to destroy all regard for constitutional limitations. In a period of national danger, governments of necessity assume larger powers than are exercised in days of peace. Periods of war put into operation forces that are not compatible with economic and political freedom, and periods following great wars often furnish fertile fields for the seeds of autocracy and an oppressive paternalism. False teachers, faddists, charlatans, neurotic men and women, are traversing our land taking advantage of the post-war unrest and instability to sow the seeds of discontent and to preach false and sinister doctrines which, if triumphant, will destroy this Republic.

That there are economic ills in the land no one will deny. That there should be industrial and political improvement all concede. That all human governments are imperfect is axiomatic, but I submit that the highest form of human government rests upon the formulas of Jefferson that the greatest liberty and economic and industrial freedom will be attained under a government which affords full and free opportunity for self-government and which allows legitimate opportunity for the realization of the aspirations and ideals and humanitarian and altruistic ambitions of the units of society.

There must be no breaking down of a proper individualism or the overthrow of local self-government and the destruction of the States and the "compounding into one mass" of all the people of all the States of our Union. We need political and social teachers who will combat the heresies taught in the land, and neutralize, if not destroy, the sinister forces which seek the perversion of the Government and the reduction of the individuals to anemic and flaccid nonentities over whom will float the flag of a despotic paternalism or a bureaucratic federated republic with unrestricted powers.

Mr. President, demands are constantly made upon the Federal Government to extend its authority into fields where it is forbidden to enter, and to exert the taxing power in an illegitimate and unconstitutional manner to raise funds to be devoted to experiments and enterprises and undertakings wholly beyond the limits and authority of the Government of the United States. Hundreds of millions of dollars are demanded by the people to aid in undertakings and enterprises that are purely private and local in character, and appeals for Federal aid are so numerous that, if granted, the Treasury of the United States would be bankrupt and a system of burdensome and oppressive taxation would be fastened upon the people. It is incomprehensible to me that there should be such a misconception as to the powers of the Government and the economic and industrial effects of the consummation of many of the schemes for Federal aid and interposition. Demands are made for hundreds of millions of dollars for roads and schools and pensions, and for aid in agricultural development, and for construction and operation of transportation systems, and for the development of real estate and irrigation projects, and for the supplying of money for agriculturist and various classes of the community. It is wholly immaterial that the powers of the Federal Government are limited, that many of the demands call for the exercise of almost unrestricted power, power which was denied the Federal Government, power the exercise of which would in the end inevitably destroy our form of government.

We have become a Nation of opportunists. We are satisfied with any policy of expediency. We want to pursue the easiest way, though it may not be the path of duty or the path of safety. We refuse to practice the homely virtues to which I referred. Thrift, economy, and providence we despise or fail to practice. We are like the spendthrift son whose prodigality has been encouraged by a foolish father. If our substance is gone, we turn to the Federal Government and stretch out our hands to the empty Treasury of the Government. It matters not that the Treasury is empty. The power of taxation exists, and we demand that the power be exercised. If all legitimate fountains of taxation are dried, we demand that unconstitutional and retroactive levies shall be made that strike at capital and shake the very industrial fabric of the Nation. The right of contract and the right to acquire and hold property are "antiquated" and "reactionary" creeds. Notwithstanding the Constitution of the United States limits the taxing power of Congress and denies it the right to levy taxes except for purely governmental purposes, appeals are made for hundreds and, indeed, billions of dollars for purposes that have no relation to the functions of government.

There is a strong lack of understanding upon the part of many of those who are making these demands for Federal aid as to the consequences which may result if all their appeals were recognized. Whatever taxes are imposed, either directly or in-

directly, they find their way as a burden upon the producer and the consumer. Increased taxes by the Federal Government mean increased burdens upon the workingman. If the printing presses of the Government are employed to put into circulation millions and billions of fiat money in order to meet the demands for Federal aid and Federal assistance, the consequences of such a foolish policy will heavily rest upon the masses of the people. Action and reaction are equal. Extravagances upon the part of the Government to-day must be met by oppressive burdens which the people upon the morrow must bear. The spendthrift who wastes his substance sooner or later comes to grief; and the profligate spendthrift nation, heeding the importunities of the thoughtless mass calling for bounties, pensions, and largesses and extravagances, will founder upon the rock of national dishonor.

Mr. President, during my service in this body I recall but few letters urging economy upon the part of the Federal Government. I have received thousands of letters and telegrams demanding that appropriations be made for almost every conceivable matter. I have no doubt that the experience of other Senators is the same as my own. There seems to be an orgy of extravagance everywhere. In recent reports which I have examined municipalities, school districts, counties, and States are appropriating millions and hundreds of millions of dollars, though they are compelled to borrow enormous amounts. I believe that the appropriations made by the various State legislatures and the municipalities during the past year were more than \$700,000,000. There seems to be a rivalry between the States and cities and political subdivisions to see how much money can be spent. We are literally a Nation of spendthrifts. I was told that in one city of less than 20,000 population there were paid through the banks in the past year for automobiles and automobile accessories more than \$100,000,000. This city, as I recall, cleared for only a small portion of two States. The taxable property of one of the States the year prior to the war was only \$300,000,000. This propensity to spend and waste is limited to no section or class. There can only be one result flowing from this saturnalia of irresponsibility and untrammelled expenditure of public funds and private savings and capital. The wild debauch must come to an end, and in the gray dawn of the coming day there will be the pangs of suffering and remorse that the profligate, intemperate, and foolish course pursued by individuals and States and the Nation will surely produce.

Mr. President, representatives of organizations throng the Halls of Congress demanding millions, and, indeed, billions of dollars. I have heretofore stated my belief that there was no scheme that could not be carried through Congress if there were sufficient organization behind it. The Senator from Colorado just called attention to the Nation-wide propaganda to compel Congress to make appropriations for employees in a certain branch of the Government service. The evidence seems to indicate that this organization has spent enormous sums in a propaganda, and that the Literary Digest and a large number of newspapers are to be utilized in the interest of this effort to secure an annual appropriation of millions of dollars from the Treasury of the United States. Scarcely a measure comes before Congress that is not promoted by some organization or class more or less powerful. Schemes that in their early inception seemed foredoomed to failure have been carried to triumphant victory because of the powerful forces which strong organization developed. A combination of voters throughout the United States and the organization of forces in support of a scheme to assault the Treasury of the United States will in the end break down opposition and resistance.

It seems as though men in public life are afraid to deny the importunities of those who knock at the doors of Congress and demand appropriations and bounties and aid from the United States. I venture the assertion that it would be for the interest of the people if there were more men in public life who served their country with fidelity and observed with scrupulousness their oath of office. It seems as though public office makes cowards of men who sustained before entering public life reputations of possessing high moral courage. We have appropriated billions during the present Congress, and if we remain in session for 60 days longer I make the prophecy that we will make further appropriations to the extent of more than \$2,000,000,000.

I appreciate that opposition to the pending bill will be utterly futile. My experience in this body has taught me that opposition to appropriation bills brings criticism and defeat. If it is known that a Senator will oppose a scheme calling for Federal aid or millions or hundreds of millions of dollars from the Treasury, those who are interested in its support promptly communicate with the constituents of the suspected Senator, and every possible means are employed to abate his opposition to the proposed measure.

I appreciate full well what the consequences will be because of my opposition to many of the bills considered in this body and the opposition I shall make to appropriation bills which will later come before us for consideration. Notwithstanding the lack of success attending efforts to prevent extravagances and unwarranted appropriations, I shall continue my efforts to prevent appropriations which I think are improper or unjust or are unauthorized by the Constitution of the United States. It is a matter of supreme regret to me that the people of the United States manifest such an indifference to the extravagances of the Federal Government, and to the character of many of the appropriations, appropriations which can not be justified and for which no constitutional warrant can be found. I have had occasion to state that the consciences of the people seem to be narcotized in the presence of promised gifts at the hands of the Federal Government. States are debauched by the millions which are promised from the Federal Treasury. The people seem to forget that we have outstanding bonds to the extent of many billions of dollars, and that an annual interest charge must be paid by the Government of more than \$1,000,000,000. This huge obligation, which is a mortgage upon all the property and all the resources of our country, is not only regarded with the utmost equanimity, but one would think that the people regard it as an advantage to have their country so encumbered.

There seems to be a studied indifference in relation to the expenses which are being incurred and appropriations which are being made.

For the fiscal year ending June 30 of this year Congress appropriated more than seven and one-quarter billions of dollars. In my opinion, there will be deficiency appropriations which will call for large amounts in addition to the huge sum that I have just mentioned. There is an utter lack of appreciation by the American people of the stupendous sum which we expended during the current year.

Senators will recall that the amount voted by the first Congress of President Harrison's administration was approximately \$1,000,000,000. The amount was so great as to excite the indignation of the American people, and I have no doubt that it was one of the principal causes leading to the defeat of the Republican Party at the next ensuing election.

Yet for the current year our appropriations were more than \$7,000,000,000, and appropriations for the coming fiscal year no one can determine with any certainty. I feel sanguine, however, that they will exceed \$6,000,000,000, and if certain legislation now projected shall be enacted into law, the budget will carry more than seven and one-half billions of dollars.

Mr. President, such a burden following the war and in this hour of peace is intolerable. It will bear oppressively upon the people and be an impediment to readjustment along safe and rational lines and to the realization of permanent prosperity within a reasonable time. It is a burden which the American consumer ought not to be compelled to bear. It is a burden which will result from an extravagant and wasteful Congress.

A year ago the Republican Party came into power in the legislative branch of the Government. Publicly it was pledged to economy in the administration of public affairs. But I submit that its record has been a complete refutation of its pledges, and its program so far as it has been revealed to the public furnishes further convincing proof of its incompetency and its extravagant employment of public funds wrung by burdensome taxation from the American people.

With considerable unctuousness the Republican leaders have boasted that their party during the past year has effectuated economies and reforms, and in support of this contention they have referred to the fact that appropriation bills have carried less amounts than the estimates of some of the executive departments of the Government.

This plea made by our Republican friends can not be treated seriously; it is absurdly ludicrous. It is a matter of common knowledge that almost from the beginning of our Government executive agencies have submitted estimates greatly in excess of the appropriations made by Congress. It has become a habit and usage and has almost crystallized into law for the various bureaus and department heads to submit estimates for amounts very much greater than they knew Congress would appropriate. I am not defending the system. It can not be defended. It justifies the criticisms which have been made for many years of the usurpations and ambitions of executive agencies of the Government. It is unfortunate that men holding these responsible positions, men charged with administering and executing the law, should seek to increase their authority and power and to enter fields of executive action not authorized and often not desired by the people. There has been a reprehensible itching for power by executive branches of the Government. Instead of operating within the confines of their lawful sphere, they have repeatedly

transgressed their authority; instead of conserving the resources of the Government and employing methods of economy and thrift and promoting efficiency, they have been willfully and wantonly extravagant, and have put into operation methods that have prevented efficient administration. As a rule they have demanded in the estimates submitted enormous sums for executive departments.

Realizing what the income of the Government would be, they have for decades submitted estimates that in many instances were double the receipts of the Government from taxation and all other sources. A majority of the heads of bureaus and executive instrumentalities have been in the service for many years. They have become infected with the bureaucratic spirit. They are possessed with a mania to extend their authority and jurisdiction. They have for years demanded more power and more money, and so long as they remain in office they will pursue the same course. With the tremendous burdens resting upon the people many of these executive officials are willing to perpetuate the burdens and to add to them. Estimates have been presented grossly in excess of what the various executive agencies and department heads received.

No credit is due to the majority party in Congress for ignoring these estimates and making appropriations for less amounts. I regret that the majority party in Congress has not set a more wholesome example of economy. I have repeatedly called attention to the extravagant appropriations which were being made, and to the failure of the Republican Party to carry out its pledges to enforce economy in the administration of public affairs.

The Senator from Illinois [Mr. McCORMICK] was the chairman of a special committee, and rendered excellent service in the preparation of the so-called budget bill. I had the honor to serve with him upon the committee, and there was recently passed through the Senate a measure prepared by the committee which I hope will tend to secure greater economy in Federal affairs. But a budget system, no matter how excellent or meritorious it may be, will be powerless for good in the face of the organized efforts, of which we have frequent illustrations, to secure appropriations from the Federal Government. Nor will a budget system protect the Government when bills of the character now before us receive almost unanimous support in both branches of Congress.

Mr. President, it must be manifest to the student of our fiscal affairs that with the enormous appropriations we are making for the coming year there will be no possibility of reducing the heavy burden of taxation now resting upon the American people. We are now bowed beneath war-time taxation. It was thought with the termination of the war that some of the burdens of taxation would be removed from the backs of the people; but I predict that with the enormous appropriations being made by this Republican Congress it will be necessary to add further burdens of taxation. Instead of their being economy and a reduction of taxation there will be greater extravagance and still larger burdens of taxation placed upon the people.

Our Republican friends seem to be insensible to the economic and business conditions of our country. The coming year will show a material diminution in the aggregate amount of incomes subject to taxation, and will also reveal a great loss in the amount paid into the Treasury from excess profits. And other sources of taxation will yield much less than was obtained by the Government during the years of 1917, 1918, and 1919. This will result in a much less aggregate tax from all sources of taxation for the coming year than during the years just referred to, notwithstanding the fact that the rate of taxation will not be reduced.

Mr. President, it would appear from present conditions that notwithstanding these enormous taxes which will be collected, the extravagance of the Republican Congress will call not only for increased taxes but perhaps for a further issue of bonds.

I desire to direct the attention of Senators to the fact that with the reduction in the volume of our foreign commerce there will be a further loss to the Treasury of the United States. This reduction in our foreign commerce presages a material slowing down of business in the United States. When we had more than \$10,000,000,000 of foreign commerce in one year prosperity was inevitable, and unparalleled activity in all manufacturing lines and enlarged production of all agricultural products necessarily followed. In my opinion, our foreign commerce for the month of June will be more than \$200,000,000 less than it was during the month of February, or the month of March; and perhaps for the year of 1920 there will be \$2,000,000,000 less than the figures for 1919 or 1918.

I am not an alarmist, nor do I believe that our country is threatened with industrial collapse or financial disaster. How-

ever, the situation does call for serious thought upon the part of business men and demands the most earnest consideration upon the part of all charged with public duty. We can not close our eyes to the present economic situation. In laying the burdens of taxation upon the people we should take into account the industrial and economic conditions. In providing for governmental expenditures it is imperative that we recognize principles of sound and prudent finance.

The recent action of certain manufacturing plants of New England should be a warning to Congress and to the country. A number of plants have been closed down and others have diminished their output. This, of course, will result in diminished production, fewer hours of employment, and a less number of employees. This action upon the part of business enterprises means a slowing down of business, at least in certain lines. This is an indication that the period of readjustment is at hand, that the orgy of extravagance and wastefulness has reached the limit, that the time has come for "stock taking." Individuals, communities, business establishments, and the Government itself all must set their houses in order. The time has come to strike a balance sheet and to ascertain our liabilities and our assets.

The Nation is solvent. The creative genius of the American people is unimpaired. The resources of our country have not been exhausted, but there must be an organized effort everywhere to produce and create wealth and to develop resources and to synchronize and coordinate the activities and policies and processes of the people. There must be greater production. That means there must be more men engaged in gainful pursuits. There are too many parasites in the country—too many that seek the cities, too few who are willing to labor upon farms and engage in the trades and vocations that are creative and productive. Our standard of values must be revised, and that includes a revision of the standard of human values. The man who toils and builds and produces must come into his own. Labor must be dignified, exalted, and glorified. The parasitic growths so far as possible must be destroyed by public opinion and by changes in our industrial and economic system. The lost motion between producer and consumer must be overcome. The parasitic and destructive agencies which devour and consume the products of labor must be eliminated. There are too many middlemen, too many brokers, too many agencies and instrumentalities which rob the producer and despoil the consumer.

That there will be serious imperfections in our industrial and political system is manifest to all. No system devised by the finite mind can meet every test or produce perfect conditions. But there are certain fundamental principles which underlie human progress which the mutations of time can not change and which are sufficient for all conditions of human society. The ethical concepts of the Nazarene are adequate for all peoples in all climes and in all ages. They are fundamental and eternal. There are certain political principles so perfect and so in consonance with the high standard of morality to which humanity should aspire that the changing centuries can not produce surer or safer guides. These principles have found expression in the Declaration of Independence and in the Constitution of the United States.

We have here a government of the people. There is political equality and a sure basis for social justice and economic and industrial progress. Under the pretext of reform and progress there must be no retrogression or tearing down of the work of the fathers. There must be no imperialistic policy or program; no assertion of autocratic power by the Federal Government; no paralyzing hand of bureaucratic agencies and instrumentalities; no paternalistic usurpations which destroy initiative and individual effort and carry individuals and communities and States and sections into one lifeless stagnant mass which is without stimulus or impulse except from some paternalistic source.

In the consideration of this and other measures the principles and policies which I have been discussing should, in my mind, not be forgotten.

Mr. President, when the bill now before us was under consideration a few weeks ago I discussed it at some length and invited attention to some of its features which I regarded as improper. I called attention to the fact that it was not a bill designed for the relief of those who had been injured or who had incurred disabilities while in the service of their country.

This is a service pension bill, not an invalid pension bill. Some of its provisions are meritorious and call for legislative approval, but it contains features which I regard as inconsistent with the spirit of our institutions and as baneful to our political principles and policies. It is being pushed with a zeal which defies all obstacles and compels the view that there are powerful forces behind it.

As I have indicated in these remarks, many propositions presented to the National Legislature are supported by powerful, nation-wide organizations, and with a persistency that admits of no denial and permits no defeat.

Moreover, a national election is now at hand, and this and other measures supported by organizations, members of which have votes, are presented with assiduity and determination, and thus far with complete success.

This measure, of course, will pass in the form reported from the committee, not because of its justice or its virtues and merits—there are other causes and reasons that will crown it with success.

As I have heretofore stated in substance, there seems to be a breaking down of the spirit of individuality and independence that has made this a great Nation, and the eyes of the people seem to be directed to the National Government for aid and material contributions. The spirit of State socialism has so far affected many of the people that they listen to the appeals of dreamers and the frenzied demands of charlatans and visionaries for the active intervention of the Federal Government in the local and domestic affairs of the people and the States. Federal pensions are being demanded for the aged and infirm. Contributions from the Federal Government are claimed for widows and for the support of the poor and the needy throughout the land. State legislatures are ignored. State machinery is not called upon to function. Indeed, the scheme of many who support these heresies is to prevent the State from exercising its rightful and proper functions with respect to its local and domestic affairs, to the end that the paternalism of the National Government may be strengthened and a pretext for the assertion of unwarranted authority afforded. Under this new policy we are to be a Nation of pensioners. A portion of the people are to produce, and a large part of the population is to subsist as pensioners upon the toil and labor of others. There are hundreds of thousands who are pensioners because of military and naval service. It appears as though there soon will be millions. There are thousands who are civil pensioners. There soon will be hundreds of thousands. During the current year there were paid in pensions and in behalf of those who served in the recent World War many hundreds of millions of dollars.

Payments made to those who were injured or to those who incurred disabilities in the service of their country or to the widows and children of those who gave their lives for their country are proper. A grateful people will deal generously in behalf of those who come within this classification. It is not of such pension bills I am speaking. I am protesting against fastening upon this Republic a policy which has for its purpose the bestowal of pensions upon hundreds of thousands and perhaps millions who have served in the Army or Navy of the United States but for a few days or a few months and suffered no injuries and incurred no disabilities. In other words, I am speaking against the service pension system and in favor of the invalid pension policy. I am urging against a policy which is leading this Nation into a civil pension system, which will produce evils of which our prophets and statesmen have imperfect vision. When the system of the service pension becomes firmly rooted and grounded it will not be limited to those who were in the military and naval service of the Government. It will extend ultimately to all forms of service rendered the Government. We will have a civil pension list under the policy which is being developed that will increase until hundreds of millions of dollars will be required annually to liquidate it.

Mr. David Kinely, professor of political economy in the University of Illinois, in his preface to Dr. William H. Glasson's work on Federal military pensions in the United States, in speaking of Dr. Glasson's record of the workings of the past pension policy of the United States, says:

The story is both heartening and depressing. The reader who is also an American citizen will take a pardonable pride in the fact that, as the story shows, the American people have been moved by generous impulses in their provision for those who at one time or another risked their lives in the military and naval service of their country. But he will be depressed by the account of moral degeneration and political corruption that gradually crept into the administration and operation of our old pension system, as in the lapse of time the sterner motives and higher ideals which led to its adoption faded into the dim background of the memories of the war.

Speaking of the pension agent, he stated:

Assisted by political leaders from time to time, he gradually molded the pensioners into a political faction so numerous and powerful that in time it came to hold the balance of political power. Party leaders and parties formed their platforms and policies at its behest. The Public Treasury became, in the minds of many, a proper source of loot.

The evil influence of the above trend on the moral and patriotic character of the pensioners themselves soon became evident. Many of them came to look upon their pensions as rewards for service rather

than as tokens of the country's appreciation of their patriotism. But the pension which any country can ordinarily pay is wholly inadequate as a reward for service. Naturally, therefore, the pensioners insisted on larger pensions, and, assisted by the claim agent and the politician, they pushed their claims until the financial drain on the country became a serious one. This is likely to happen in a democracy.

The moral degeneration caused in time by the changing view of the true character of pensions led also to the evil of extending them to men whose service was brief and resulted in no injury to them. Moreover, pensions were taken without compunction by some men who, while technically entitled to them, had other means of adequate support and, indeed, were sometimes rich, to say nothing of young widows of old soldiers. For such people to take pensions is to throw a shadow of graft on the whole system.

I believe the statement of Dr. Glasson in the work I have just referred to correctly states the views of the American people that—

Among the people of the United States there has always been a strong feeling that the Government is under moral obligation to provide for the aid and relief of those who have been disabled in its military service and for the support of the widows and dependent relatives of the slain.

Pursuant to this feeling the Government of the United States from the beginning has generously dealt with all who have received injuries or incurred disabilities while in the military service of the United States, and it has likewise granted liberal pensions to the families and dependents of those to whom death came while in such service. And the Government has gone further and at times granted service pensions.

A short time ago a bill was passed by Congress which added sixty-five millions of dollars annually to the pension roll; the measure was a "service" pension bill. That measure found almost unanimous support in both the House and the Senate. Under it pensions are paid to men who received no wounds or injuries, who are suffering from no disability whatever, and many of whom possess wealth and are in no need of aid from the Federal Treasury.

The bill now before us rivets the service-pension system upon the Nation. Pensions are not limited to those who were injured or who incurred disabilities while in the service of their country, but pensions are to be paid to all who were upon the rolls of the military and naval branches of the Government during the Spanish-American War and whose names were there for a period of 90 days or more. Under this measure all persons whose names were upon the rolls in the military or naval service of the United States in the War with Spain, the Philippine insurrection, the China relief expedition, and who were honorably discharged, and who are now or who may hereafter suffer from any mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor so as to render them unable to earn a support, shall obtain a pension from the Government. There need be no proof that they need the pension for their support. They may be men of wealth and have ample means for their support, and yet if their names were upon the rolls for 90 days they are to be pensioned for life. And this is true though they may never have left the United States or done any actual military duty or rendered any actual military or naval service. The bill further provides that upon reaching the age of 62 years every person within the class just mentioned shall receive a pension. And this pension is to be paid for life, notwithstanding the recipient of the same is in perfect health, is the possessor of millions, and is not in need of any support whatever from the Government.

Let it be understood, Mr. President, this bill is a service pension bill. Already there are many who were in the Spanish-American War receiving pensions for injuries received or disabilities incurred, but that legislation does not meet the demands of the proponents of service pensions. There must be pension for all whose names were upon the rolls of the Army or Navy for 90 days, without regard to their needs or ailments or character of the service rendered. They may have been in some pleasant camp of the United States for 90 days; that fact entitles them to pensions. I have repeatedly said during debates upon pension bills that I would heartily support liberal and generous pensions for every person who was injured while in the service of his country or who incurred disability of any character or description by reason of such service; also that I would support measures providing liberal pensions for the widows and children of all who lost their lives while in the military or naval service of their country. But I am unable to indorse a purely service pension system. I believe that the moral effects of it are wrong; that it leads to effeminacy, to self-effacement, to the weakening of the spirit and character of the people, and to the propagation of the heresy of governmental paternalism. The appetite for pensions will grow as a result of legislation of this character, so that service pensions

will soon be demanded by all who have been in any way connected with the Government. It has found expression in the civil pension bill recently passed, which will annually impose millions of dollars of expense to the Government to meet pensions paid civil employees.

A bill was reported yesterday which, if I understand correctly, asked that a certain status be accorded to engineers who served in Siberia in the construction of the Siberian Railroad that will enable them to claim all the benefits from gratuities and gifts and pensions that are paid and to be paid to those who have been in the military or naval service of the United States. I am advised that already a movement is on foot to give pensions to the Army and Navy clerks, and there are thousands of them, and other civil employees who were in the service of the Government during the recent war. Hundreds of thousands of men were engaged in transportation, in the construction of cantonments, in the erection of military camps, and in other important work overseas. They in time will claim service pensions. The nurses and those engaged in charitable and other work in behalf of the soldiers and sailors will in time, under this policy which is to prevail, seek pensions from the Government.

Mr. President, this picture is not overdrawn. Whenever there is established a policy of pensioning for mere service, service but for a few days, service which exposed the claimants to no danger and which resulted in no disability or injury, the door will be opened and it will invite demands from other quarters for bounties and pensions from the Government.

As I have stated, if organizations are effected and demands persistently made, success will ultimately crown the efforts of those who seek relief from the Government. Mr. President, I have stated that I would be glad to support a pension bill that cares for brave men who received injuries or incurred disabilities in the Spanish-American War and which would generously provide for the widows and children of those who lost their lives while in the service of their country. When our country entered the war a patriotic spirit swept throughout the land, and there was a ready response to the call for men to battle for justice and the Nation's honor. Tens of thousands of splendid and chivalrous Americans volunteered to carry the flag of their country against the foe. There was a practical demonstration of the solidarity of the American people. It was realized beyond any question that there was no North and no South. There was a united country. And the boys whose fathers were locked in deadly embrace, wearing the blue and the gray, arm in arm walked together against the common foe. We were proud of their achievements in Cuba and in the Philippines, on land and on sea. They added glory to the military and naval records of our country and brought additional honor to this Republic, which had championed the cause of the oppressed and sought only freedom for peoples under despotic rule.

It is true that only a part of those who enlisted had the opportunity to participate in military or naval engagements or to leave the soil of the United States. As I recall, there were approximately 285,000 enlisted in the military service during the war, and of that number 50,000 only served beyond the confines of the United States. Indeed, as I am advised, less than that number did serve outside of the United States, because those who were in the Regular Army served in Cuba and also in the Philippines. Of course those who were denied the opportunity to serve beyond the borders of the United States experienced great disappointment. They enlisted with the expectation of foreign service, but the early defeat of the enemy denied them such opportunity. In the recent World War hundreds of thousands of our brave soldiers, because of the capitulation of the Central Powers, were deprived of the chance to reach the blood-stained fields of Europe. We all know the keen disappointment which they experienced, but their valor and their courage none can deny.

Mr. NEW. Mr. President, will the Senator yield to me for a moment?

Mr. KING. I yield.

Mr. NEW. In reference to the Senator's statement in regard to the military camps, let me say that among other camps I was for some time at Jacksonville with a number of men who never went beyond the confines of the United States; but I saw several thousand of them carried to the hospital, and I saw several hundred of them die in the hospital. More died in the hospital of the camp at Jacksonville than were killed or died of wounds in the Battle of Santiago; but they are dead.

Mr. KING. Mr. President, I do not see the relevancy of the statement just submitted by the distinguished Senator from Indiana. I concede that, because of the mismanagement of certain officials of the War Department, there were an unneces-

sary number of persons invalidated and who met their death in the camps.

Mr. NEW. Mr. President, I do not like to intrude upon the time of the Senator—

Mr. KING. I am glad to yield.

Mr. NEW. But, in explanation, I should like to say further, referring to the camp at Jacksonville, Fla., that that camp was located by Gen. Henry W. Lawton. There was no better soldier in the United States Army and no man better qualified properly to select camp sites than he. When he selected Jacksonville, however, it was with the idea that the men who were to occupy that camp would be there for a few weeks only. If he had foreseen that they were to be there for months and months and then other months, he never would have located it at that particular spot. There were other sites in the vicinity much better suited to the purpose. But it was just one of those circumstances which no man can foresee in war. The men who died at Jacksonville were not the victims of Gen. Lawton's mistake or the mistake of the War Department; they were the victims of the circumstances of war, which, as I have said, no man can foresee or entirely avoid.

Mr. KING. Mr. President, I do not dissent from the statement made by my friend the Senator from Indiana. I do not desire to derogate from the credit due those who volunteered for service in the Spanish-American War. As I have stated, they are entitled to all honor and to the thanks of the American people. I am only urging that the service pension system is fraught with dangers. It only tends to depreciate the honor and the glory and the credit due to men who sought to serve their country in the hour of danger. It depreciates their patriotism and seeks to put a money value upon those exalted motives and lofty ideals which inspire men to heroic conduct and humanitarian service. I have no desire to discuss the charges that were made during the Spanish-American War of maladministration upon the part of officials of the War Department which it was claimed resulted in the death, unnecessarily, of a number of brave and gallant boys who wore the uniform of their country. I merely invite attention to the criticism made by former President Roosevelt of the conduct of the War Department. Anything that I might say would be mild in comparison with his outspoken condemnation of certain phases of the conduct of the war.

What I have said with respect to service pensions I do not desire to be given too broad interpretation. We are discussing the measure now before us and not questions which may be presented at a future date. Although the observations which I have made are general, I think I state a correct general policy with respect to the adoption of a national pension policy. Of course, there may be conditions, peculiar and exceptional in character, which would call for material modification of the general propositions for which I am contending and a wide departure from the conclusions which I heretofore stated.

But I do appeal to Senators to refuse their support to measures which will fasten a deadly socialism upon the Republic or bring the people and the States under the oppressive hand of a Federal paternalistic Government. I appeal in behalf of those policies which encourage individualism and turn attention of the people from the dazzling omnipotent Federal Government to the fountains of authority which the people themselves possess and which, if properly developed and applied, will fructify the land, fertilize the soil, build up the waste places, and make of the Commonwealths mighty States in which are deposited delegated powers from the people to be exercised for their welfare and happiness and the protection of their liberties.

Mr. President, just a few words in regard to a number of amendments which I shall suggest. I have indicated my desire to support measures which will generously provide for those who were injured during the War with Spain or the Philippine insurrection or the China relief expedition, as well as those who incurred disabilities while in such service, and also generous provision for the widows and children of those who met their death while in the service of their country. I have called attention to the fact that the bill is a service pension bill, and that pensions are paid to those who may be as rich as Croesus, or who are suffering from no disability whatever. I have called attention to the fact that as soon as a person reaches the age of 62 years, it matters not how rich he may be and notwithstanding the fact that he never left the United States or incurred any risks or dangers or was injured or suffered any disability or is not suffering from any ailments, he is entitled to a pension for life.

Provision is made in the first section of the bill for the aid of such classes. I believe that such a provision is improper and should be stricken from the bill. I ask the Senator in

charge of the bill if he will be willing to strike out the proviso beginning on line 10 and ending on line 17, which reads as follows:

Provided, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of \$12 per month. In case such person has reached the age of 68 years, \$18 per month; in case such person has reached the age of 72 years, \$24 per month; and in case such person has reached the age of 75 years, \$30 per month.

Mr. NEW. Mr. President, if the Senator from Utah addresses me—

Mr. KING. I am addressing the Senator from Indiana.

Mr. NEW. The Senator spoke of the chairman of the committee. I am not the chairman of the committee; but, if his inquiry is addressed to me, I will say that I would not be willing to accept the amendment.

Mr. KING. Then I shall move, at the proper time, to strike out that proviso.

I inquire of the Senator from Indiana—and I am asking for information—what interpretation he places upon these words, commencing in line 22 on page 2:

Nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act.

I inquire of the Senator whether this does not provide a double pension? That is to say, it is known that many so-called Spanish War veterans are now receiving pensions.

Mr. NEW. I do not think it provides a double pension.

Mr. KING. Or is not this intended to permit pensions additional to those which the pensioners are now receiving?

Mr. NEW. No.

Mr. KING. It seems to me that the language is susceptible of that construction.

I ask the Senator—and I am asking for information—what the words found in the next line mean:

Provided, however, That no person shall receive more than one pension for the same period.

Is that for the purpose of qualifying the preceding proviso, so that it is clear that there will not be a double pension?

Mr. NEW. I think so.

Mr. KING. Mr. President, I have attempted to interpret this bill and understand its terms, but I confess that, in my opinion, it will be held to give a double pension; that men now receiving pensions will obtain an additional pension under the terms of this act.

Mr. McCUMBER. Mr. President—

Mr. KING. I yield.

Mr. McCUMBER. Will the Senator allow me to state that that is exactly the same language that has been used in all of these other bills? It has been construed, of course, over and over again, and it has always been held by the department that the language meant just exactly what it was intended to mean, namely, that no person shall draw more than one pension.

Mr. KING. Mr. President, I am glad to know that that is the interpretation placed upon the bill, because it did seem to me that it could be construed as being cumulative in its operation.

Mr. NEW. Mr. President—

Mr. KING. I yield to the Senator.

Mr. NEW. I merely want to say that this is an exact copy of previous pension acts, except that the reference to "soldiers of the Spanish-American War, the Philippine insurrection, and the Boxer insurrection" was inserted as descriptive, just as was the reference to soldiers of the Civil War in the other acts.

Mr. KING. I shall also offer, Mr. President, an amendment to section 1 of the bill, the object of which is to limit pensions which such section provides to those who have not sufficient means for their support. Under the provisions of section 1 pensions are paid to all persons who served 90 days or more in the military or naval service of the United States who come within the provisions of the section, though they are the possessors of limitless wealth and have no need whatever for contributions from the Federal Treasury. It occurs to me where service pensions are paid their beneficiaries should be in such a situation financially that the pension is necessary for their support. But, as stated, the section as drawn gives a pension to those who have sufficient means for their support and to those whose wealth is beyond the dreams of avarice. Of course, I understand that no amendments will be accepted; that this bill is to pass the Senate without the dotting of an "i" or the crossing of a "t." It is the purpose to carry it through the Senate and they are here to secure the result. I regret that just and proper amendments will not command support and that the bill will pass just as it has been reported from the committee.

It is quite possible that the paternalistic frenzy which possesses the people and the triumph of political heresies which the

clamorous teachers of the hour are propagating may bring this measure and others, paternalistic and oppressive, the support of the majority of the American people. It is possible that they will give their support to policies which will call for billions of additional taxes in this onswEEPing tide of Federal usurpation and authority. But I believe that the day will come when the patriotic people of this Nation will awaken from their slumber and, like the lion confronting its foes, they will shake their invincible locks and repudiate the policies which are destroying the States and place this Republic in the path of safety.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I have concluded and yield the floor.

Mr. THOMAS. I desire to give notice that I will offer an amendment to insert, on page 1, line 9, after the word "character," the words "incurred in the service and."

Mr. NEW. Mr. President, the 12 or 13 minutes of unexpired time remaining for the consideration of this bill will very much more than suffice for what I have to say in concluding the discussion of it. I expressed my views concerning it in full the other day, and there is very little I care to add to what I then said.

I may do the Senator from Utah [Mr. KING] an injustice when I say that he refers I think contemptuously to "the men who served 90 days," or some such time, in camp. The statistics of the war under consideration in this bill, the Spanish-American War, and of every other war in which this or any other country has ever engaged, will show that the deaths and disabilities are much more numerous as the result of disease and exposure than they are from gunshot wounds and other wounds received in battle. There is no difference between the vital statistics of this war and those accompanying the story of any other war.

Everybody knows that conditions obtaining at the time of the Spanish-American War were especially onerous, and I think I assigned the reason for that in an interpolation which I made a few moments ago in the address of the Senator from Utah. It was largely due to the fact that the troops engaged were recruited in great haste; it was not anticipated that they were going to occupy the camps selected for their mobilization for any considerable length of time, and the camps were located at sites which were not well calculated for long-time occupancy. Every man who served in that war and every man who was an observer at the time knows that that was true. The men who located the camps were not to be criticized, as in the case of Gen. Lawton, to which I referred a while ago. Lawton never in the world would have located Camp Cuba Libre just outside of Jacksonville in the environment of that camp if he had expected the men to be there from May until the following October. It was necessary to remove them in midsummer, because conditions got so bad there that men were dying in alarming numbers. That was true of that and true of many of the other camps. That is all I care to say on that score.

Mr. President, the Senator from Utah has painted a very gloomy and a very terrifying picture of the demands which are to be made hereafter on the Congress for pensions for women, for the aged, and for public employees—all sorts of people at all sorts of times and under all sorts of conditions. I think we can meet those demands on their merits when they are made. But they are not made in this bill.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. NEW. Certainly.

Mr. THOMAS. If I understood the Senator a moment ago, he was discussing the unhealthy and undesirable conditions under which the American Army in the Spanish-American War suffered during the campaign and before the campaign. I think a bill designed to compensate men for disabilities incurred in the service would not be as objectionable as this bill. The trouble with this bill is that it does not limit the disabilities to those which were caused by or incurred in the service, but if any member of the American Army in that war suffers from any disability hereafter for which he is not to blame, whether he contracted that disability in the service or out of it, he becomes entitled to a pension under this act.

Mr. NEW. Yes; that is true. But, Mr. President, pensioning men who have served their country in time of war, after they reach a certain age, or after they shall become disabled, whether from disabilities incurred in the service or not, so long as they are not disabilities incurred as the result of their own vicious habits, has no terrors for me, and I do not think it has any for the people of this country.

The language in this bill is certainly plain enough. It provides that pensions paid under it are to be paid only to those "who have been honorably discharged from the military service," and "who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support," and upon making due proof of that fact, under the rules provided by the Pension Office, they shall be entitled to receive a pension at various figures.

Objection has been made to the age feature. Mr. President, the Regular officer of the Navy is retired by law at the age of 62, and the Regular officer of the Army is retired compulsorily at the age of 64, which is certainly proof enough that the Government regards those as the ages at which a man is no longer able to render competent service in the Navy or in the Army, and if not there, certainly his earning capacity is affected to his disadvantage in any other field.

Mr. President, there is nothing further that I care to say on the bill.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona [Mr. ASHURST].

Mr. NEW. Before a vote is taken on that amendment, I desire to say that I have had no opportunity whatever to investigate how many people would be affected by the amendment. I think it would complicate the bill.

Mr. ASHURST. Will the Senator permit me at this time, in the moment remaining, to say a word about the amendment?

Mr. NEW. Yes; but I would like to say before taking my seat that I am opposed to the amendment and hope it will not be agreed to.

Mr. ASHURST. In the moment remaining I wish to repeat what I said before, that there are no persons eligible to pensions as nurses who served with the China relief expedition; that there were 1,700 persons who served as nurses in the war with Spain and the Philippine insurrection 20 years or more ago, and I apprehend that possibly not half of them are eligible for pensions under this bill.

Mr. ROBINSON. Mr. President, in the moment remaining before the limitation on debate becomes effective, I simply desire to say that I am heartily in favor of the amendment of the Senator from Arizona.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

The amendment was rejected.

The VICE PRESIDENT. The Senator from Colorado has offered an amendment, which will be read.

The ASSISTANT SECRETARY. Add at the end of the bill the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Pope, widow of James W. Pope, late brigadier general, United States Army, retired, Regular Establishment, and pay her a pension at the rate of \$50 per month.

Mr. NEW. Mr. President, it is with a good deal of regret that I oppose the amendment offered by my good friend, the Senator from Colorado. I have no doubt whatever that it possesses merit. The case, however, is provided for in another bill, which the Senator from North Dakota [Mr. STERLING], the chairman of the Committee on Pensions, proposes to report. If it is attached to this bill, it opens the way to attach to the same bill quite a large number of other cases of perhaps equal merit. If this were to be considered strictly on its merits, I would—

The VICE PRESIDENT (at 1 o'clock p. m.). Without further debate the Senate will vote on the pending amendment, which is the amendment offered by the Senator from Colorado [Mr. THOMAS].

The amendment was rejected.

Mr. THOMAS. I now ask consideration of the other amendment which I proposed; that is, to insert after the word "character," in line 9, page 1, the words "incurred in the service and," so that the disability will be that incurred in the service.

The amendment was rejected.

Mr. KING. Mr. President, on page 1, at the end of line 11, after the word "support," I move to amend by adding the words "and who have not sufficient means for their support," so that it will read:

That all persons who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine insurrection, and the China relief expedition, and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which

so incapacitates them from the performance of manual labor as to render them unable to earn a support, and who have not sufficient means for their support, shall—

And so forth.

On a division, the amendment was rejected.

Mr. NEW. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the numerals "\$20," insert the following:

Which sum shall be payable only upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make—

So that the section will read:

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain, for such services in preparing, presenting, or prosecuting such claim a sum greater than \$20, which sum shall be payable only upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make, and any person who shall violate any of the provisions of this section or who shall wrongfully withhold from a pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding \$500, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer an amendment to be added to the bill as a new section:

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. Add at the end of the bill a new section, to be known as section 4, as follows:

SEC. 4. That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$9,819 to and for Katherine Macdonald, of Butte, Mont., for and on account of unpaid claims held by her on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project, in the State of Wyoming.

The amendment was rejected.

Mr. KING. I move to amend by striking out, on page 2, beginning at line 10, the following words:

Provided, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of \$12 per month. In case such person has reached the age of 68 years, \$18 per month; in case such person has reached the age of 72 years, \$24 per month; and in case such person has reached the age of 75 years, \$30 per month.

I move to strike out this proviso because it gives a pension without any necessity.

The amendment was rejected.

Mr. KING. I move the following amendment, and I desire Senators to do me the kindness to listen to the amendment so that they may know its whole import. I move to strike out, on page 2, line 10, the word "Provided," and, after the word "who," on the same line, to add language so as to make it read:

That any such person who is now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of his own vicious habits, which shall so incapacitate him from the performance of manual labor as to render him unable to earn a support, and who has not sufficient means for his support—

And so forth.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. Shall the bill pass?

Mr. NEW. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the Senator from South Dakota [Mr. JOHNSON]. On this question I understand that he would vote as I am about to vote, and I therefore vote. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I am informed that that Senator if present would vote as I am about to vote, so I vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. PENROSE] who unfortunately is absent on account of illness. I transfer my pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], who is necessarily absent. I therefore withhold my vote.

Mr. EDGE. I transfer my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. On this vote I am released from that pair and therefore permitted to vote. I vote "yea."

Mr. WATSON (after having voted in the affirmative). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from Vermont [Mr. DILLINGHAM] and allow my vote to stand.

Mr. SIMMONS (after having voted in the affirmative). May I inquire if the Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a general pair with that Senator, which I transfer to the Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. He is absent, but I understand he would vote, if present, as I have voted, and I therefore allow my vote to stand.

Mr. GERRY. The senior Senator from Kentucky [Mr. BECKHAM], the Senator from Delaware [Mr. WOLCOTT], and the junior Senator from Kentucky [Mr. STANLEY] are absent on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. HARRIS];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Kentucky [Mr. BECKHAM].

I wish to announce the unavoidable absence of the Senator from West Virginia [Mr. SUTHERLAND]. If present, he would vote "yea" on the passage of the bill.

The result was announced—yeas 65, nays 3, as follows:

YEAS—65.

| | | | |
|---------------|----------------|-------------|--------------|
| Ashurst | Gerry | McNary | Simmons |
| Ball | Hale | Moses | Smith, Ariz. |
| Borah | Harding | Myers | Smith, Md. |
| Brandeggee | Harrison | Nelson | Smith, S. C. |
| Capper | Henderson | New | Spencer |
| Chamberlain | Hitchcock | Norris | Sterling |
| Colt | Jones, N. Mex. | Nugent | Townsend |
| Comer | Jones, Wash. | Overman | Trammell |
| Curtis | Kendrick | Page | Underwood |
| Dial | Kenyon | Phelan | Wadsworth |
| Edge | Keyes | Phipps | Walsh, Mass. |
| Elkins | Lenroot | Poin Dexter | Walsh, Mont. |
| Fall | Lodge | Pomerene | Warren |
| Fernald | McCormick | Ransdell | Watson |
| France | McCumber | Reed | |
| Frelinghuysen | McKellar | Robinson | |
| Gay | McLean | Sheppard | |

NAYS—3.

| | | |
|------|--------|----------|
| King | Thomas | Williams |
|------|--------|----------|

NOT VOTING—28.

| | | | |
|------------|------------------|-------------|------------|
| Beckham | Gore | Knox | Shields |
| Calder | Gronna | La Follette | Smith, Ga. |
| Culberson | Harris | Newberry | Smoot |
| Cummins | Johnson, Calif. | Owen | Stanley |
| Dillingham | Johnson, S. Dak. | Penrose | Sutherland |
| Fletcher | Kellogg | Pittman | Swanson |
| Glass | Kirby | Sherman | Wolcott |

So the bill was passed.

The title was amended so as to read: "A bill to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition."

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Principals' Union, of Washington, D. C., praying for an increase in the salaries of engineers, janitors, and laborers in the public schools of the district, which was referred to the Committee on Appropriations.

He also presented petitions of the Brightwood Citizens' Association, the Kalorama Citizens' Association, the Thompson Community Center Association, the West End Citizens' Association, and the North Capitol and Eckington Citizens' Association, all in the District of Columbia, praying for an emergency relief fund of at least \$500 for each teacher in the public schools, which were referred to the Committee on Appropriations.

Mr. CAPPER presented a petition of sundry postal employees of Manhattan, Kans., and a petition of sundry citizens of Butler

County, Kans., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of sundry manufacturing and business companies of Dowagiac, Mich., praying for the enactment of legislation providing for an increase of freight rates, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce and sundry business firms of Grand Haven, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CURTIS presented a petition of the Commercial Club of Cherryvale, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Lodge, International Boiler Makers and Iron Ship Builders of America, of Marysville, Kans., praying for the parole of Federal prisoners, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Chamber of Commerce of Wichita, Kans., remonstrating against the enactment of legislation limiting the charges of nonmember banks with the Federal Reserve System in the collection and payment of checks drawn upon them, which was referred to the Committee on Banking and Currency.

He also presented a memorial of the Board of Trade of Kansas City, Mo., remonstrating against the enactment of legislation placing a tax of 2 cents on each \$10 in value of all sales of grain or produce for future delivery, etc., which was referred to the Committee on Agriculture and Forestry.

PROPOSED BONUS TO DISTRICT SCHOOL-TEACHERS.

Mr. WALSH of Massachusetts. Mr. President, I present a communication from Duncan McLaren, chairman of the teachers' committee of the District of Columbia, transmitting resolutions adopted at a meeting of and signed by over 2,000 teachers of the public schools of the District of Columbia, relative to some financial relief being granted them in the form of an amendment to the general deficiency appropriation bill. I ask that the communication of Mr. McLaren be printed in the RECORD and that the communication and petition be referred to the Committee on Appropriations for action.

There being no objection, the communication and accompanying petition were referred to the Committee on Appropriations and the communication was ordered to be printed in the RECORD, as follows:

The teachers of the District of Columbia respectfully direct the attention of the United States Senate to their present unfortunate plight, caused by inadequate salaries, and submit this petition, with the request that some relief be granted before Congress recesses. Attention is directed to the fact that in many cities throughout the country substantial increases have been granted recently, and that these increases have been made effective for the current school year, including some of the cities which were used by the Reclassification Commission for purposes of comparison in computing a fair scale for the District. It is respectfully suggested that the pending general deficiency bill could be amended to carry this much-needed and fully merited relief, and we ask that the subcommittee in charge of said bill be authorized to report an amendment for that purpose, if, after hearings on the subject, it believes the situation warrants such action.

Respectfully submitted.

DUNCAN McLAREN,
Chairman Teachers' Committee.

MAY 28, 1920.

REPORTS OF COMMITTEES.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes, reported it with amendments and submitted a report (No. 642) thereon.

Mr. POINDEXTER, from the Committee on Interstate Commerce, to which was referred the bill (S. 4204) to prohibit interference with commerce, reported it with amendments and submitted a report (No. 644) thereon.

ACCEPTANCE OF OFFICES FROM FOREIGN COUNTRIES.

Mr. WALSH of Montana. From the Committee on Naval Affairs I report back favorably with amendments the bill (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America, and I submit a report (No. 643) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Let the bill be read.

Mr. WADSWORTH. From the reading of the title, this seems to be a measure of some importance.

Mr. SMOOT. Mr. President, let the bill go to the calendar so that we may have an opportunity to examine it.

The VICE PRESIDENT. Objection is made, and the bill goes to the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 4457) providing for the adoption of the Montgomery safety dial on timepieces throughout the United States; to the Committee on Post Offices and Post Roads;

A bill (S. 4458) granting a pension to Lou Alice Clay (with accompanying papers);

A bill (S. 4459) granting a pension to Benjamin E. Reeder (with accompanying papers);

A bill (S. 4460) granting a pension to Sarah E. Sprague (with accompanying papers);

A bill (S. 4461) granting a pension to Miles C. Gilliland (with accompanying papers);

A bill (S. 4462) granting a pension to Daniel Boon Martin (with accompanying papers);

A bill (S. 4463) granting a pension to Lillian Bramun (with accompanying papers);

A bill (S. 4464) granting a pension to Lilly Ann Newberry (with accompanying papers);

A bill (S. 4465) granting a pension to James W. Murphy (with accompanying papers);

A bill (S. 4466) granting a pension to Cordelia Hazen (with accompanying papers);

A bill (S. 4467) granting a pension to Anthony Early (with accompanying papers); and

A bill (S. 4468) granting a pension to Hannah E. Gron (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 4469) to amend section 110 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice; to the Committee on Military Affairs.

By Mr. WADSWORTH (by request):

A bill (S. 4470) to regulate air navigation within the United States and its dependencies, and between the United States or any of its dependencies and any foreign country or its dependencies; to the Committee on Commerce.

By Mr. SUTHERLAND:

A bill (S. 4471) granting a pension to Sarah Scrivens; to the Committee on Pensions.

By Mr. CAPPER:

A joint resolution (S. J. Res. 207) authorizing and directing the Secretary of the Treasury to deposit funds in the Federal reserve banks for rediscounting cattle paper to encourage the production of food; to the Committee on Banking and Currency.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN submitted an amendment proposing to appropriate \$600 to pay to the widow of the late James T. Britt, late an employee on the maintenance roll of the Senate Office Building, etc., intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed, and, with accompanying paper, referred to the Committee on Appropriations.

Mr. GAY (by request) submitted an amendment authorizing the surplus property division of the War Department to cancel the contract or contracts made on or about March 26, 1920, with J. Frank, care Frank-Langham Co., New York City, etc., intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations and ordered to be printed.

MEMORIAL ADDRESSES ON THE LATE SENATOR BANKHEAD.

Mr. UNDERWOOD. Mr. President, I desire to give notice that on December 9 I shall ask that the business of the Senate be temporarily suspended to consider resolutions on the life, character, and public services of my late distinguished colleague, Hon. JOHN HOLLIS BANKHEAD.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ESTOPINAL.

Mr. RANDELL. Mr. President, I desire to give notice that on Tuesday next, June 1, 1920, at 4 o'clock and 30 minutes p. m., I shall ask that the business of the Senate be temporarily suspended in order that an opportunity may be given for tributes of respect to the memory of Hon. ALBERT ESTOPINAL, late a Member of the House from the State of Louisiana.

CROW INDIAN LANDS—CONFERENCE REPORT.

Mr. WALSH of Montana submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes, having met, after full and free conference have agreed to recommend, and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2, 19, 20, and 31.

That the Senate recede from its disagreements to the amendments of the House numbered 3, 10, 11, 12, 13, 14, 15, 17, 18, 21, 22, 24, 25, 26, 27, 28, 29, 30, and 32, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: Omit the matter stricken out by said amendment and, on page 1 of the bill, in line 10, after the word "Montana," insert the following: "(not including the Big Horn and Pryor Mountains the boundaries whereof to be determined by said commission with the approval of the Secretary of the Interior) and"; and the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 4, 5, 6, 7, 8, and 9, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"Sec. 2. No conveyance of land by any Crow Indian shall be authorized or approved by the Secretary of the Interior to any person, company, or corporation who owns at least 640 acres of agricultural or 1,280 acres of grazing land within the present boundaries of the Crow Indian Reservation, nor to any person who, with the land to be acquired by such conveyance, would become the owner of more than 1,280 acres of agricultural or 1,920 acres of grazing land within said reservation. Any conveyance by any such Indian made either directly or indirectly to any such person, company, or corporation of any land within said reservation as the same now exists, whether held by trust patent or by patent in fee shall be void and the grantee accepting the same shall be guilty of a misdemeanor and be punished by a fine of not more than \$5,000 or imprisonment not more than six months or by both such fine and imprisonment.

"The classification of the lands of such reservation for the purpose of allotment and the allotment thereof shall be made as provided in the act of Congress approved June 25, 1910 (36 Stat. L., p. 859), which classification with any heretofore made by authority of law as to lands heretofore allotted shall be conclusive, for the purposes of this section, as to the character of the land involved."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 16, and agree to the same with an amendment as follows: On page 6 of the bill, in line 10, after the word "act," insert the following: "unless otherwise ordered by Congress"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 23, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the House agree to the same.

CHARLES CURTIS,

T. J. WALSH,

JOHN B. KENDRICK,

Managers on the part of the Senate.

P. P. CAMPBELL,

J. H. SINCLAIR,

C. E. RANDALL,

HARRY L. GANDY,

ZEBULON WEAVER,

Managers on the part of the House.

The report was agreed to.

NAVAL RADIO STATIONS.

Mr. POINDEXTER. I ask the Chair to lay before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 170) to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public.

The VICE PRESIDENT. The Chair lays before the Senate the amendments of the House of Representatives, which will be read.

The amendments were read, as follows:

Strike out all after the resolving clause and insert:

"That all land, ship, and airship radio stations and all apparatus therein owned by the United States may be used by it for receiving and transmitting messages relating to Government business, compass reports, and the safety of ships."

"Sec. 2. That the Secretary of the Navy is hereby authorized, under terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Interstate Commerce Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department—(a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages: *Provided*, That the rates fixed for the reception and transmission of commercial messages, other than press messages, shall not be less than the rates charged by privately owned and operated stations for like messages and service: *Provided further*, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships, whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Secretary of Commerce shall have notified the Secretary of the Navy thereof, and all rights conferred by this section shall terminate and cease in any event two years from the date this resolution takes effect."

"Sec. 3. That all stations owned and operated by the Government, except as herein otherwise provided, shall be used and operated in accordance with the provisions of the act of Congress entitled 'An act to regulate radio communication,' approved August 13, 1912"; and to amend the title so as to read: "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes."

Mr. POINDEXTER. As this is a matter of some emergency, I have been instructed by the Senate Committee on Naval Affairs to move to concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 14197. An act to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes, was read twice by its title and referred to the Committee on Finance.

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion, to be held at Vincennes, Ind., on June 28 and 29, 1920, was read twice by its title and referred to the Committee on Military Affairs.

ARMENIAN MANDATORY.

Mr. LODGE. Mr. President, according to the notice previously given by me, I move that the Senate proceed to the consideration of Senate concurrent resolution 27, relating to the Armenian mandate.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of Senate concurrent resolution No. 27.

The motion was agreed to; and the Senate proceeded to the consideration of the concurrent resolution (S. Con. Res. 27), which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

Mr. LODGE. Mr. President, the pending resolution has been reported by the Committee on Foreign Relations, the committee feeling that a request so important as that of the President, that he be given authority to take a mandate for Armenia, should be replied to at once, especially as a recess is approaching. The resolution is a concurrent resolution and is simply a respectful declination on the part of Congress to grant to the President the authority to accept the mandate.

I am very anxious, Mr. President, if possible, to dispose of the resolution before the recess, and I have no intention of myself debating it unless it becomes necessary to do so. I should be glad to secure a vote on the resolution at the earliest possible moment.

Mr. HITCHCOCK. I suggest to the Senator from Massachusetts that if, after a little preliminary discussion to-day, the resolution could go over until next week it might be quite possible to arrange for a definite time for a vote. I will say that I had contemplated offering an amendment to the resolution but have not had quite time to perfect it, and I should like a little more time for that purpose.

Mr. LODGE. Mr. President, I have no desire to cut off opportunity either for debate or amendment. If we could agree to take a vote on some day next week, it would be perfectly agreeable to me. The resolution could then be called up at any time under such an understanding.

Mr. HITCHCOCK. Does the Senator desire to discuss the resolution to-day?

Mr. LODGE. Personally, all I desire to get is a vote; but I understood the Senator to ask that the resolution go over, and I should have no objection to having it go over if I could obtain some agreement for a vote.

Mr. HITCHCOCK. So far as I am concerned, I will be willing to consent to almost any day next week. I was waiting for the Senator from Alabama [Mr. UNDERWOOD] before making a definite suggestion. I think we could arrange the matter on Monday.

Mr. LODGE. If the Senator could suggest some day for a vote, or make some suggestion that would be convenient to him, I think there would be no objection to a satisfactory agreement being reached.

Mr. SMITH of South Carolina. Mr. President, might it not be agreeable to allow the resolution to go over until Monday, and on Monday take it up and reach whatever agreement may be desired? I will remind the Senator that this is Saturday.

Mr. LODGE. I should think we could arrive at an agreement to-day, and, of course, if such an agreement is reached I shall not press the resolution, but shall get it out of the way for other business.

Mr. HITCHCOCK. Mr. President, I will outline in a few words what I have in mind to propose. In my opinion the effect of the resolution as drawn will discourage the people of Armenia. I am not in favor of granting to the President the power to accept a mandate over Armenia, but I hesitate very much to become a party to the adoption of a resolution which, it seems to me, will have the effect of discouraging Armenia, and possibly of encouraging the enemies of Armenia.

For that reason I have designed to draft an amendment, in the shape of an addition to the pending resolution, which would indicate beyond any doubt the purpose of the United States to cooperate with the Government of Armenia and to assist in every reasonable way toward the economic rehabilitation of Armenia and cooperation with the Government of Armenia. I have drawn rather hastily an amendment, which I will read for information. I think it needs revision, but it indicates what I have in mind as a practical manifestation of the disposition of the United States to assist Armenia without undertaking the responsibilities of a mandate. I shall probably propose the following, or something like it, as an addition to the pending resolution:

Resolved further, That the President be, and he is hereby, empowered to appoint three American citizens to act with a like number of representatives of the Government of Armenia in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of supervising the preparation, issuance, and offering for sale in the United States of bonds of the Armenian Government, not exceeding \$50,000,000 in amount, the proceeds of which shall be available for the following purposes, to wit: To purchase in the United States agricultural implements, materials for railroad development, construction, and repair in Armenia, and other similar supplies, for economic development and rehabilitation that may be designated by the Armenian Government: *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia, in case the Armenian Government may so decide, under the advice and approval of this joint commission. These bonds may be made payable in the United States, but the Government of the United States is not to be made in any sense responsible for the payment of either principal or interest.

Mr. President, that is a crude form of the suggestion I desire to make by way of amendment. It is drawn along the lines of a desire expressed by some of the Armenians themselves. Armenia is a rich and fertile country, and, if assisted in economic development at this time, will probably be able to develop a stable government and restore conditions of prosperity among her people.

I believe it has been stated that something like 800,000 American citizens contributed some \$40,000,000 for charity in Armenia, and it seems to me that among those same people will probably be found a large number who will purchase Armenian bonds if they can be assured that their issuance and sale and the custody of the funds are in the possession of a joint commission for purposes which will benefit the development and rehabilitation of Armenia; and I believe this will carry out in a practical way the disposition which the Senate has indicated in the resolution of sympathy already adopted. I should like to attach it to this concurrent resolution, in order that Armenia may see that we have a fixed purpose of assistance and in order also that the Turkish Government and other neighboring peoples disposed to interfere with Armenia may also realize that it is the purpose of the United States to assist Armenia in every reasonable way possible.

I am therefore asking that the matter may go over until next week, in order that this amendment may be perfected and any criticisms that may be offered may be available.

Mr. LODGE. Mr. President, I personally have felt the very deepest sympathy for Armenia and I have tried to help the passage of the resolution which we did pass, and I should have been glad personally to do more. I am utterly opposed to taking a mandate and binding ourselves to keep an army of at least 60,000 American troops in Armenia for an indefinite time and to involve ourselves in an expenditure which Gen. Harbord's report estimates to be \$275,000,000 for the first year, and which also is indefinite, which entangles us necessarily in all the quarrels and difficulties of Asia Minor; but I should be glad to see anything done for Armenia that could be properly done and constitutionally done without involving ourselves in any way in a mandate.

I hold in my hand a statement submitted by Mr. Gerard to the Secretary of State, representing the wishes of the Armenians. Mr. Gerard is the head of one of the great organizations in this country which have been raising money and trying in all ways to help the Armenians, and he represents certainly the views of many of the Armenians themselves. This statement which he submitted, and which is very brief, is as follows:

First, he asks that action be taken on the Senate resolution already adopted. That is the resolution we adopted which asked the President—who has the power to do it without the action of Congress—to send a battleship to Batum, with marines on board, for the protection of American property and covering the railroad.

Second, he asks for the continued dispatch of foodstuffs. That is going on through these large philanthropic societies—two of them, I think—and they have already collected and spent in Armenia some \$40,000,000.

3. Deliver at once in Erivan equipment for army of 40,000 to 50,000 men.

4. Send to Erivan 50 American officers to reorganize the Armenian army.

5. Create an American-Armenian mixed financial commission, to be charged with the task of raising \$75,000,000 by private subscription in this country, about one-half of said sum to be spent in this country for the purchase of farming tools and implements, railway equipment, and the like, and the balance to be transferred to Armenia by way of credit, to constitute the basis of the monetary system of Armenia. Also a few of the American members of the mixed commission should at once proceed to Armenia to organize the finances of Armenia.

6. Address a note to the supreme council or identical notes to the allied powers similar in substance to instructions given by Mr. Webster to American minister in Great Britain concerning Liberia. (Copy of text of said instructions annexed hereto.)

I pause to say that those notes go very much further than I think it would be desirable at this time to go.

7. Suspend the foreign enlistment act and authorize and enable the Armenians in this country to raise a force of 10,000 men for service in Cilician Armenia.

8. Give warning to the Turks against further hostile operations in Cilicia, express to France the hope that it may be possible for her to adopt hereafter a more sympathetic attitude toward the Armenians in Cilicia, and take such other steps as may be necessary to save the Armenians in Cilicia.

9. Ask the powers to cooperate with us in any action.

I will ask to have that statement and the accompanying notes printed.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SUBMITTED BY MR. GERARD TO THE SECRETARY OF STATE.

"1. Take action on Senate resolution already adopted.

"2. Continue dispatch of foodstuff.

"3. Deliver at once in Erivan equipment for army of 40,000 to 50,000 men.

"4. Send to Erivan 50 American officers to reorganize the Armenian Army.

"5. Create an American-Armenian mixed financial commission to be charged with the task of raising \$75,000,000 by private subscription in this country, about one-half of said sum to be spent in this country for the purchase of farming tools and implements, railway equipment, and the like, and the balance to be transferred to Armenia by way of credit, to constitute the basis of the monetary system of Armenia. Also a few of the American members of the mixed commission should at once proceed to Armenia to organize the finances of Armenia.

"6. Address a note to the supreme council or identical notes to the allied powers similar in substance to instructions given by Mr. Webster to American minister in Great Britain concerning Liberia. (Copy of text of said instructions annexed hereto.)

"7. Suspend the foreign enlistment act, and authorize and enable the Armenians in this country to raise a force of 10,000 men for service in Cilician Armenia.

"8. Give warning to the Turks against further hostile operations in Cilicia, express to France the hope that it may be possible for her to adopt hereafter a more sympathetic attitude

toward the Armenians in Cilicia, and take such other steps as may be necessary to save the Armenians in Cilicia.

"9. Ask the powers to cooperate with us in any action.

"MAY 21, 1920."

SUBMITTED BY MR. GERARD TO THE SECRETARY OF STATE.

"A note might be addressed to the supreme council or identical notes to the allied powers stating that—

(Mr. Hay, Secretary of State, re Liberia, to our ambassador to France.)

"The Government of the United States, having recognized Armenia, feels that it has a peculiar interest in its citizens and could not be justified in regarding with indifference any attempt to oppress them or deprive them of their independence."

(Mr. Webster, Secretary of State, re Liberia, to our minister to Great Britain.)

"This Government regards Armenia as occupying a peculiar position, and as possessing peculiar claims to the friendly consideration of all Christian powers; that this Government will be at all times prepared to interpose its good offices to prevent any encroachment by Armenia upon any just right of any Nation; and that it would be very unwilling to see it despoiled of its territory rightfully acquired, or improperly restrained in the exercise of its necessary rights and powers."

Mr. LODGE. I do not bring those up with any idea of attaching them to this resolution, or moving them at this time. I simply lay them before the Senate, since the Senator from Nebraska has called attention to one of the propositions, as showing that there are other methods by which we could properly be of assistance to the Armenians, and I am sure the desire to help the Armenians is very general in the United States. There is no desire to turn a completely deaf ear to their cry for help, for they are a brave people who have struggled for centuries to preserve their religion and their liberty, and they, I think, must appeal to every American sympathy; but that is wholly different from taking the mandate and assuming the care of that country for we can not say how many years to come.

Mr. President, I think it important that we should have action upon this question. We ought to have time, of course, to have the amendment of the Senator from Nebraska printed and put in such form as he desires, but with only a week ahead of us before a recess, at all events, must be taken, I should like to have time to get it over to the House, which has already taken it up in the Committee on Foreign Affairs, and I know wishes to take action, too. We must have concurrent action. If we could reach an agreement to vote some day early next week, so as to give us an opportunity to send this resolution to the House, I should be very glad to make that agreement, and not press it further at this time. Perhaps the Senator from Nebraska can suggest some time when he would be willing to take it up and have a vote upon it.

Mr. HITCHCOCK. Mr. President, unless the Senator has something definite to propose, I suggest that the matter go over until Monday, and we can probably then enter into an agreement. There is a little difference of opinion here as to exactly the time that should be suggested. As far as I am personally concerned, I should like to come to a vote upon the resolution.

Mr. LODGE. If Senators on the other side are willing to make an agreement, I am perfectly ready to let the making of it go over until Monday. All I want to be assured of is a vote in time to send it to the House.

Mr. HITCHCOCK. Personally, I think that will facilitate the arrangement. I think we can be ready to agree on Monday, as to when we shall take the vote. I find a little difficulty in agreeing upon a date just at this moment. I had expected some discussion.

Mr. POINDEXTER. Mr. President, if the matter goes over, I should like it to go over until Tuesday instead of Monday.

Mr. LODGE. The proposition is only to let making the agreement go over, not to fix the vote on Monday, but that on Monday we make an agreement as to when we shall vote.

Mr. POINDEXTER. I gave notice yesterday that I should undertake to get a vote on the magnesite tariff bill on Monday, and I should like to have an opportunity at least of presenting that matter.

Mr. LODGE. I think I shall have to ask that we reach an agreement on Monday.

Mr. HITCHCOCK. I believe I can assure the Senator that it will be possible on Monday to reach an agreement on a vote.

Mr. LODGE. Very well. If it is understood, then, that we shall reach some agreement on Monday, I am perfectly willing to let it go over now, unless some Senator wishes to address the Senate upon it at this time.

Mr. BRANDEGEE. Mr. President, if the arrangement is made to let it go over until Monday, at which time we shall try

to get an agreement as to a time for a vote upon it, I should like to ask whether or not it becomes the unfinished business? The Senate met at 11 o'clock to-day, and this matter was taken up more than two hours after the meeting, and I assume that it would be the unfinished business.

Mr. LODGE. Certainly; it would be the unfinished business. It is the unfinished business now.

Mr. BRANDEGEE. Yes; unless it is displaced.

Mr. LODGE. If no Senator wishes to debate it further to-day, I shall simply ask that the unfinished business be temporarily laid aside.

Mr. WILLIAMS. Mr. President, before the Senator makes that request, I want to be heard for about five minutes.

Mr. LODGE. Certainly. I do not want to cut off anybody.

Mr. WILLIAMS. Mr. President, I see no objection to taking a vote on this question right now. It seems to me that every Senator ought to know how he intends to vote. It seems to me, furthermore, that the Congress owes it to the President of the United States, and that these United States owe it to France and Great Britain and Italy and the other civilized powers, who have invited us through the President to become a mandatory for Armenia, to return a prompt reply.

Europe is awaiting our action. I am perfectly aware of the fact that I am probably in a very small minority, but when I have to face a situation I believe in facing it. I do not believe in useless delay for the mere purpose of talking. If we are to refuse this mandate, we ought to communicate that fact to the civilized powers of the world, whose representatives have invited us to accept it. We owe that much to them. The legislative branch owes that much to the President.

Mr. LODGE. Mr. President, will the Senator allow me to say one word just there?

Mr. WILLIAMS. Certainly.

Mr. LODGE. I am in entire agreement with what the Senator is saying about the necessity of taking action promptly. I offered to let the matter go over in deference to the wishes of the Senator from Nebraska [Mr. HITCHCOCK], who desires to present an amendment which he has not yet fully prepared.

Mr. WILLIAMS. I understood that he had already prepared it; but however that may be, Mr. President, I want to say just this much upon the proposition itself:

In my private relations I have never, as far as I now remember, been confronted with a situation where I was willing to accept all the benefits and advantages while shirking all the burdens and responsibilities. I am not willing, as a Senator of the United States, to see these United States put themselves in that attitude before the world, and I think we would put ourselves in that attitude if we declined to do even this much—to accept the invitation of civilization to act as police regulators in Armenia until the Armenian people can stand upon their own feet.

Mr. President, Armenia is an isolated and an insulated Christian community surrounded by hereditary enemies. She is not able to defend herself now, although some of her own people think that she is. Turks, Kurds, Georgians, for the most part Mohammedans, are seeking her throat with knives all the time. Her people are members of the oldest Christian church in existence on this earth. This has always constituted an appeal to the sympathy and the better and higher feeling of the American people.

I believe that if we accepted the mandate the mere presence of the American uniform in Armenia would very nearly, if not quite, settle the issue by preventing Kurdish and Turkish attacks and leaving the Armenians at peace to work out their destiny. But whether it did or not, I am unwilling, after we have fought this war, with all the death and misery which came to so many of our citizens and so many of our families, not to do even this little thing to help along in the maintenance of the peace of the world.

My heartstrings are tied very closely to the history of this remarkable people—remarkable in very many more ways than one, but especially remarkable for their abiding faith, their constancy, their courage, and their devotion to an ideal—and I am heartily in favor of giving the President the power which he has requested. I would like to give it to him this moment.

Mr. President, I understand that it is almost impossible to keep any people, no matter how altruistic, at a point of high tension for many years in succession. I know that our people were kept at a high tension during the war. I also know that when the armistice came the opinion generally spread itself that everything that was wrong and miserable had stopped, and everything that was right and prosperous had had its beginning. I also know, of course, that that was an error.

I for one do not see how my country can take itself out of the world. It is a part of it, and the earth now is a very

narrow place, with its aeroplanes and its wireless and all the other things which bring its peoples close together. Even if it were advisable to be off of the earth, we can not get off of it, nor can we escape and shirk the burdens and responsibilities of a situation while we accept all of its advantages. Perhaps I was wrong in saying that we can not do it. What I meant was that you ought not to do it.

Mr. President, that is all I have to say, or, rather, further saying of things would do no good.

Mr. BRANDEGEE. Mr. President, I ask unanimous consent that there may be printed in the RECORD Senate Document No. 266, which is the summary of the report of the American military mission to Armenia by Maj. Gen. James G. Harbord. This was a commission appointed by the President.

Mr. SMOOT. It is a public document already.

Mr. BRANDEGEE. It is a public document and is deposited in the files upstairs, but it is not in the RECORD, which is read by the people of the country, and I think it advisable, if there is to be a debate on this subject, that it should be in the RECORD.

Mr. SMOOT. It seems to me that anyone who desires to read the debate can get the public document easier than he can get the RECORD.

Mr. LODGE. Mr. President, I am as much in favor of keeping needless matter out of the RECORD as anyone. We are all indebted to the Senator from Utah [Mr. SMOOT] for enforcing the rule. But here is a matter of the utmost moment, which is coming before the Senate, I hope not to take much debate. This report covers the exact subject from the highest authority; it seems to me at this moment the facts contained in it ought to be laid not only before the Senate in the RECORD but before that much wider audience, the people who read the RECORD. The RECORD goes to the newspaper offices, and I think it very desirable that the report should be printed in it.

Mr. SMOOT. The document has reference to the Armenian people?

Mr. LODGE. Yes; and nothing else. It is all about Armenia and the effect of a mandate.

Mr. SMOOT. Then I have not any objection.

Mr. SMITH of Georgia. I do not think we want to have the exhibits printed in the RECORD, but just the report proper.

Mr. BRANDEGEE and Mr. LODGE. The report proper.

Mr. SMITH of Georgia. I have read it with a great deal of care, and thought to bring a number of extracts from the report to the attention of the Senate, in order that the people reading the RECORD might see how clearly Gen. Harbord points out the grave responsibility and the serious difficulty surrounding the matter.

The PRESIDING OFFICER. Without objection, the report itself, without the exhibits, will be printed in the RECORD.

The report referred to is as follows:

CONDITIONS IN THE NEAR EAST.

AMERICAN MILITARY MISSION TO ARMENIA,

On Board U. S. S. *Martha Washington*, October 16, 1919.

From: Maj. Gen. James G. Harbord, United States Army.

To: The Secretary of State.

Subject: Report of the American Military Mission to Armenia.

The undersigned submits herewith the report of the American Military Mission to Armenia. The mission, organized under authority of the President, consisted of Maj. Gen. James G. Harbord, United States Army; Brig. Gen. Frank R. McCoy, United States Army; Brig. Gen. George Van Horn Moseley, United States Army; Col. Henry Beeuwkes, Medical Corps, United States Army; Lieut. Col. John Price Jackson, United States Engineers; Lieut. Col. Jasper Y. Brinton, judge advocate, United States Army; Lieut. Col. Edward Bowditch, jr., Infantry, United States Army; Commander W. W. Bertholf, United States Navy; Maj. Lawrence Martin, General Staff, United States Army; Maj. Harold Clark, Infantry, United States Army; Capt. Stanley K. Hornbeck, Ordnance Department, United States Army (chief of Far Eastern Division, American Commission to Negotiate Peace); Mr. William B. Poland, chief of the American Relief Commission for Belgium and Northern France; Prof. W. W. Cumberland, economic advisor to the American Commission to Negotiate Peace; Mr. Eliot Grinnell Mears, trade commissioner, Department of Commerce, with other officers, clerks, interpreters, etc.

The instructions to the mission were to—

Proceed without delay on a Government vessel to Constantinople, Batum, and such other places in Armenia, Russian Transcaucasia, and Syria, as will enable you to carry out instructions already discussed with you. It is desired that you investigate and report on political, military, geographical, administrative, economic, and other considerations involved in possible American interests and responsibilities in that region.

The mission proceeded by ship to Constantinople. From there it traveled by the Bagdad Railway to Adana, near the northeastern coast of the Mediterranean Sea, the scene of the massacres of 1909, and the principal city of the rich Province of Cilicia, where two days were spent visiting Tarsus and the ports of Ayas and Mersina; thence continued by rail via Aleppo to Mardin; from there by motor car to Diarbekir, Kharput, Malatia, Sivas, Erzinjan, Erzerum, Kars, Erivan, and Tiflis; thence by rail to Baku and Batum. Erivan, Tiflis, and Baku are the capitals, respectively, of the Republics of Armenia, Georgia, and Azarbaijan, and Batum is the seat of the British military government of the Georgian district of that name. Members of the mission also traveled by carriage from Ula-Kishla to Sivas; from Sivas to Samsun; visiting Marsovan, where there is much apprehension among the Armenian population at this time; from Trebizond to Erzerum; by horseback from Khorasan to Bayazid; from Erivan to Nakhichevan, near the Persian border. The Armenian Catholicos, His Holiness Kevork V, was visited at Etchmiadzin, the historic seat of the Armenian Church, with its ancient cathedral, dated from 301 A. D.—The mission traversed Asia Minor for its entire length and the Transcaucasus from north to south and east to west. All of the Vilayets of Turkish Armenia were visited except Van and Bitlis, which were inaccessible in the time available, but which have been well covered by Capt. Niles, an Army officer, who inspected them on horseback in August, and whose report corroborates our observations in the neighboring regions; as well as both Provinces of the Armenian Republic and the Republics of Azarbaijan and Georgia. The Turkish frontier was paralleled from the Black Sea to Persia. On the return voyage from Batum the mission visited Samsun, the port of one of the world's great tobacco regions, and Trebizond, the latter a principal port on the south shore of the Black Sea, terminus of the ancient caravan route to Persia, of historic interest as the point where the Greek 10,000 reached the sea under Xenophon over 2,300 years ago.

The mission spent 30 days in Asia Minor and Transcaucasia, and interviewed at length representatives of every Government exercising sovereignty in that region, as well as individual Turks, Armenians, Greeks, Kurds, Tartars, Georgians, Russians, Persians, Jews, Arabs, British, and French, including Americans for some time domiciled in the country. It also gave consideration to the views of the various educational, religious, and charitable organizations supported by America. In addition to this personal contact the mission before leaving Paris was in frequent conference with the various delegations to the peace conference from the regions visited. It has had before it numerous reports of the American Committee for Relief in the Near East, and Food Administration, and that of the mission of Mr. Benjamin B. Moore, sent by the peace conference to Transcaucasia, as well as the very complete library on the region, its geography, history, and governments, loaned by the Librarian of Congress, the American Mission to Negotiate Peace, and others. It has listened to the personal experiences of many witnesses to the atrocities of 1915, and benefited by the views of many persons whose knowledge of the various peoples in the regions visited is that obtained by years spent among them.

The interest, the horror, and sympathy of the civilized world are so centered on Armenia, and the purpose and work of this mission so focus on the blood-soaked region and its tragic remnant of a Christian population that this report should seem to fall naturally under the following heads: (a) History and present situation of the Armenian people; (b) the political situation and suggestions for readjustment; (c) the conditions and problems involved in a mandatory; (d) the considerations for and against the undertaking of a mandate.

The report is accordingly so presented.

THE HISTORY AND PRESENT SITUATION OF ARMENIAN PEOPLE.

The Armenians were known to history under that name in the fifth century B. C., and since that period have lived in the region where their misfortunes find them to-day. Their country is the great rough tableland, from 3,000 to 8,000 feet above the level of the sea, of which Mount Ararat is the dominant peak. In ancient times it touched the Mediterranean, Caspian, and Black Seas. In later days it has dwindled to about 140,000 square miles, an area about as large as Montana, without political identity, but existing in 1914 in two parts, the eastern belonging to Russia, which consisted of Kars and Erivan, and some portions of the present territory of Azarbaijan; the remainder being Turkish Armenia, comprised in the vilayets of Van, Bitlis, Erzerum, Diarbekir, Kharput, and Cilicia, though Armenians were scattered more or less throughout the whole of Transcaucasia and Asia Minor. Armenia was an organized nation 1,000 years before there was one in Europe, except Greece and Rome. For over 12 of the 25 centuries of its history

Armenia enjoyed independence within borders that shifted with the events of the times. Its last king, Leon VI, an exile from his own land, spent his last years in the effort to bring about an understanding between France and England, then in the struggle of the Hundred Years War, and actually presided at a peace conference near Boulogne in 1386, which brought about the understanding which led to the end of that war. Armenia was evangelized by Apostles fresh from the memory of our Lord, as early as 33 A. D., and as a nation adopted Christianity and founded a national church in 301 A. D., which has outlived the storms of the centuries and is vital to-day. Armenia was the first nation to officially adopt Christianity, with all that act involved in a pagan world.

The first two centuries following the foundation of the church were a golden age of Armenian literature, witnessing the invention of an Armenian alphabet; the translation of the Bible into the vernacular; the thronging of Armenians to the great centers of learning at Athens, Rome, and Alexandria; and the development of a flexible literary language, one of the great assets of national life.

By its geographical location on the great highway of invasion from east to west the ambitions of Persia, the Saracens and the rising tide of Islam, and the Crusades found Armenia the extreme frontier of Christianity in the East. Persians, Parthians, Saracens, Tartars, and Turks have exacted more martyrs from the Armenian church in proportion to its numbers than have been sacrificed by any other race. The last Armenian dynasty was overthrown by the Sultan of Egypt 78 years before the fall of Constantinople to Mahomet II in 1453. From that time until to-day the story of their martyrdom is unbroken. In the Persian, the Roman, the Byzantine, the Armenian found Aryan kinsmen and tyranny was tempered with partial autonomy. Even the Saracen was a high racial type, and reciprocal adjustments had been possible. The Turk to whom they now fall prey was a raiding nomad from central Asia. His main springs of action were plunder, murder, and enslavement; his methods the scimitar and the bowstring. The Crusades were long ended. Europe busy with her own renaissance contented herself with standing on the defensive against the Moslem, and the eastern Christian was forgotten. For more than three centuries the Armenian people figure little in the history of the times, though at an earlier period 16 Byzantine Emperors were of that race, and ruled the eastern Empire with distinction. Many individuals, and even colonies, however, played a part in distant lands. Europe, India, and Persia welcomed them. They were translators, bankers, scholars, artisans, artists, and traders, and even under their tyrannical masters filled posts which called for administrative ability, became ambassadors and ministers, and more than once saved a tottering throne. They carried on trades, conducted commerce, and designed and constructed palaces. Nevertheless as a race they were forbidden military service, taxed to poverty, their property confiscated at pleasure, and their women forced into the harems of the conqueror. Such slavery leaves some inevitable and unlovable traces upon the character, but in the main the Armenian preserved his religion, his language, and his racial purity, persecution bringing cohesion.

Time, temperament, and talent eventually brought most of the industry, finance, commerce, and much of the intellectual and administrative work of the Ottoman Empire into Armenian hands.

The progress of events in Europe brought about in the early nineteenth century a revival of interest in the forgotten Near East. As early as 1744 the treaty of Kainardje had placed Imperial Russia in the rôle of a protector of the Christians of the Near East, an attitude many times under suspicion by contemporary statesmen, but whatever its motives, the only genuine attempt by any European nation to afford such protection to helpless Armenia. A plebiscite in Russian Armenia, if fairly held, would probably vote a reconstituted Russia into a mandatory for that region.

With Armenian consciousness of their own capacity to trade, to administer, and to govern in the name of others, there came in the last quarter of the nineteenth century the opportunity to throw their weight into the scale for the reform of Turkey from within, at a time when the dismemberment of Turkey was balanced in European politics against the possibility of her self-redemption. In 1876 a constitution for Turkey was drawn up by the Armenian Krikor Odian, secretary to Midhat Pasha, the reformer, and was proclaimed and almost immediately revoked by Sultan Abdul Hamid.

The foregoing inadequately sketches the story of the wrongs of Armenia down to our own times. From 1876 it is a story of massacre and of broken and violated guaranties.

The Russo-Turkish War ended in 1877 by the treaty of San Stefano, under which Russia was to occupy certain regions

until actual reforms had taken place in Turkey. This treaty, through British jealousy of Russia, was torn up the following year and the futile treaty of Berlin substituted, asking protection but without guaranties. Meantime there had been the convention of Cyprus, by which that island passed to Great Britain, and the protection of Turkey was promised for the Armenians in return for Great Britain's agreement to come to the aid of Turkey against Russia. A collective note of the powers in 1880 was ignored by Turkey. Then followed the agreement of 1895, which was never carried out, and the restoration of the constitution of 1876 in 1908. A further agreement in 1914 was abrogated at the entrance of Turkey in the war—and the last of the series is a secret treaty of 1916 between Great Britain, France, and Russia, the existence and publication of which rest on Bolshevik authority, by which Armenia was to be divided between Russia and France. Meanwhile there have been organized official massacres of the Armenians ordered every few years since Abdul Hamid ascended the throne. In 1895, 100,000 perished. At Van in 1908, and at Adana and elsewhere in Cilicia in 1909, over 30,000 were murdered. The last and greatest of these tragedies was in 1915. Conservative estimates place the number of Armenians in Asiatic Turkey in 1914 at over 1,500,000, though some make it higher. Massacres and deportations were organized in the spring of 1915 under definite system, the soldiers going from town to town. The official reports of the Turkish Government show 1,100,000 as having been deported. Young men were first summoned to the government building in each village and then marched out and killed. The women, the old men, and children were, after a few days, deported to what Talaat Pasha called "agricultural colonies," from the high, cool, breeze-swept plateau of Armenia to the malarial flats of the Euphrates and the burning sands of Syria and Arabia. The dead from this wholesale attempt on the race are variously estimated from 500,000 to more than a million, the usual figure being about 800,000.

Driven on foot under a fierce summer sun, robbed of their clothing and such petty articles as they carried, prodded by bayonet if they lagged, starvation, typhus, and dysentery left thousands dead by the trail side. The ration was a pound of bread every alternate day, which many did not receive, and later a small daily sprinkling of meal on the palm of the outstretched hand was the only food. Many perished from thirst or were killed as they attempted to slake thirst at the crossing of running streams. Numbers were murdered by savage Kurds, against whom the Turkish soldiery afforded no protection. Little girls of 9 or 10 were sold to Kurdish brigands for a few plasters, and women were promiscuously violated. At Sivas an instance was related of a teacher in the Sivas Teachers' College, a gentle, refined Armenian girl, speaking English, knowing music, attractive by the standards of any land, who was given in enforced marriage to the beg of a neighboring Kurdish village, a filthy, ragged ruffian three times her age, with whom she still has to live, and by whom she has borne a child. In the orphanage there maintained under American relief auspices there were 150 "brides," being girls, many of them of tender age, who had been living as wives in Moslem homes and had been rescued. Of the female refugees among some 75,000 repatriated from Syria and Mesopotamia we were informed at Aleppo that 40 per cent are infected with venereal diseases from the lives to which they have been forced. The women of this race were free from such diseases before the deportation. Mutilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages. Yet immunity from it all might have been purchased for any Armenian girl or comely woman by abjuring her religion and turning Moslem. Surely no faith has ever been put to harder test or has been cherished at greater cost.

Even before the war the Armenians were far from being in the majority in the region claimed as Turkish Armenia, excepting in a few places. To-day we doubt if they would be in the majority in a single community, even when the last survivors of the massacres and deportations have returned to the soil, though the great losses of Turkish population to some extent offset the difference brought about by slaughter. We estimate that there are probably 270,000 Armenians to-day in Turkish Armenia. Some 75,000 have been repatriated from the Syrian and Mesopotamian side, others are slowly returning from other regions, and some from one cause or another remained in the country. There are in the Transcaucasus probably 300,000 refugees from Turkish Armenia and some thousands more in other lands, for they have drifted to all parts of the Near East. The orphanages seen throughout Turkey and Russian Armenia testify to the loss of life among adults. They are Turkish as

well as Armenian, and the mission has seen thousands of these pathetic little survivors of the unhappy years of the war. Reports from 20 stations in Turkey show 15,000 orphans receiving American aid, and undoubtedly the number demanding care is double this, for many were seen cared for under the auspices of the Red Crescent, the organization which in Moslem countries corresponds to our Red Cross. Twenty thousand are being cared for at the expense of the various relief agencies in the Transcaucasus. On the route traveled by the mission fully 50,000 orphans are to-day receiving Government or other organized care. We estimate a total of perhaps half a million refugee Armenians as available to eventually begin life anew in a region about the size of New York, Pennsylvania, and Ohio, to which would be added those not refugees who might return from other lands. The condition of the refugees seen in the Transcaucasus is pitiable to the last degree. They subsist on the charity of the American relief organizations, with some help, not great, however, from their more prosperous kinsmen domiciled in that region. Generally they wear the rags they have worn for four years. Eighty per cent of them suffer from malaria, 10 per cent from venereal troubles, and practically all from diseases that flourish on the frontiers of starvation. There are also the diseases that accompany filth, loathsome skin troubles, and great numbers of sore eyes, the latter especially among the children. The hospitals are crowded with such cases.

The refugees in Russian Armenia have hitherto drifted from place to place, but an effort is now being made by the administration of Col. Haskell to concentrate them in several refugee camps. The winter season will see many deaths, for the winters there are extremely severe, fuel is scarce, and shelter inadequate. Medicines are scarce and very dear. Quinine costs approximately \$30 a pound. On the Turkish side of the border where Armenians have returned they are gradually recovering their property, and in some cases have received rent for it, but generally they find things in ruins, and face winter out of touch with the American relief, and with only such desultory assistance as the Turkish Government can afford. Things are little if any better with the peasant Turks in the same region. They are practically serfs, equally destitute and equally defenseless against the winter. No doctors or medicines are to be had. Villages are in ruins, some having been destroyed when the Armenians fled or were deported; some during the Russian advance; some on the retreat of the Armenian irregulars and Russians after the fall of the empire. Not over 20 per cent of the Turkish peasants who went to war have returned. The absence of men between the ages of 20 and 35 is very noticeable. Six hundred thousand Turkish soldiers died of typhus alone, it is stated, and insufficient hospital service and absolute poverty of supply greatly swelled the death lists.

In the region which witnessed the ebb and flow of the Russian and Turkish Armies the physical condition of the country is very deplorable. No crops have been raised for several years and the land ordinarily cultivated has gone to weeds. Scarcely a village or city exists which is not largely in ruins. The country is practically treeless.

Where the desperate character of the warfare, with its reprisals of burning and destroying as one side and then the other advanced, has not destroyed the buildings, which are generally of adobe, the wooden beams have been taken for fuel and the houses are ruined. In the territory untouched by war from which Armenians were deported the ruined villages are undoubtedly due to Turkish devilry, but where Armenians advanced and retired with the Russians their retaliatory cruelties unquestionably rivaled the Turks in their inhumanity. The reconstruction of this country will be little short in difficulty of its original reclamation from virgin wilderness in days when the world was young.

Where the Russian went he built fine macadam highways, and even the main Turkish roads generally built during the war, over which our mission traveled, were passable, and some quite good. All highways are rapidly going to ruin for lack of maintenance. A country once fairly equipped for motor traffic is sliding back to dependence on the camel caravan, the diminutive pack donkey, and the rattly, ramshackly araba wagon. The ox is the principal draft animal. A good highway existed from Erzerum to Trebizond, on the line of the most ancient trade route in the world, that from Persia to the Black Sea, through which, in all ages, the carpets and jewels of Persia have reached the western world. The distance is about 150 miles. The freight rate is now between \$145 and \$150 per ton.

In the portion of Turkey traversed we heard of brigandage, but experienced no inconvenience. Apparently the Turkish Government, inefficient and wicked as it sometimes is, can

control its people, and does govern. In the region once policed by Russia the relaxation from its iron hand has been great, and life and property are unsafe in many regions. Our mission was fired upon by Kurds in Russian Armenia and several motor cars struck by bullets, and over half the party were kept prisoners one night by Moslems who claimed to have been driven from their villages by Armenians.

In Azarbaijan we were also fired upon. Train wrecks for robbery are frequent on the Transcaucasian Railroad, and the Georgian Government took the precaution to run pilot engines ahead of our train for safety. The highways are unsafe even to the suburbs of the large towns. Practically every man in Georgia and Azarbaijan, outside the cities, carries a rifle. If he desires to stop a traveler on the highway, he motions or calls to him, and if unheeded fires at him.

The relief work consists of the allotment made to the Transcaucasus from the unexpended balance of the hundred millions appropriated by Congress for relief in allied countries, and of the funds contributed through the American Committee for Relief in the Near East. All circumstances considered, the relief administration in the Transcaucasus seems to have been conducted with more than average energy. It has rescued the refugees there from starvation and brought the name of America to a height of sympathy and esteem it has never before enjoyed in this region. It extends now throughout the Near East, and is felt by the wild, ragged Kurd, the plausible Georgian, the suspicious Azarbaijan, the able Armenian, and the grave Turk with equal seriousness. With it, or probably because of it, there has come widespread knowledge of the fourteen points submitted by the President, and "self-determination" has been quoted to the mission by wild Arabs from Shammar and Basra, by every Government in Transcaucasia, by the mountaineers of Daghestan, the dignified and able chiefs of the Turkish nationalist movement at Sivas and Erzerum, and the nomad Kurds who 10 minutes before had fired at our party, thinking us to be Armenians. Undoubtedly some charges of corruption on the part of native officials connected with the relief could be substantiated. Charges of partiality favoring Christian against Moslem in equal distress are not infrequent. Due to inexperience, to difficulties of communication, and other causes, there has been inefficiency on the part of American officials and employees. Enthusiastic young Americans out of touch with the sources of their funds, confronted with the horrors of famine in a refugee population, drew drafts on the good faith and generosity of their countrymen, procedure not usual in the business world, but drafts that were honored nevertheless. Any criticism of unbusinesslike methods must be accompanied with the statement of work accomplished, which has been very great and very creditable to America and her splendid citizens who have so generously contributed to this cause. Col. Haskell has reorganized the work in the Transcaucasus and is getting better results. In some way funds must be found and this work must be continued and the people be sustained until they can harvest a crop. If seed is available for planting, a crop should be due in August, 1920. Even this prospective amelioration only applies to those repossessed of their lands.

There is much to show that, left to themselves, the Turk and the Armenian when left without official instigation have hitherto been able to live together in peace. Their existence side by side on the same soil for five centuries unmistakably indicates their interdependence and mutual interest. The aged Vali of Erzerum, a man old in years and in official experience, informed us that in his youth, before massacres began under Abdul Hamid, the Turk and the Armenian lived in peace and confidence. The Turk making the pilgrimage to the holy cities of Mecca and Medina left his family and property with his Armenian neighbor; similarly the Armenian on the eve of a journey intrusted his treasures to his Turkish friend. Testimony is universal that the massacres have always been ordered from Constantinople. Some Turkish officials were pointed out to us by American missionaries as having refused to carry out the 1915 order for deportation. That order is universally attributed to the Committee of Union and Progress, of which Enver Bey, Talaat Bey, and Djemal Pasha were the leaders. A court has been sitting in the capital practically since the armistice, and one man, an unimportant subordinate, has been hung. Talaat, Enver, and Djemal are at large, and a group of men charged with various crimes against the laws of war are at Malta in custody of the British, unpunished, except as restrained from personal liberty. Various rumors place Enver Bey as scheming in the Transcaucasus, and a French officer is authority for the statement that he has been in Tiflis within two months conferring with Government officials. This man is in Turkish eyes a heroic figure; risen from obscurity by his own

efforts, allied by marriage to the Imperial House of Osman, credited with military ability, the possibilities of disturbance are very great should he appear in command of Moslem irregulars on the Azarbaijan-Armenian frontier.

Such are conditions to-day in the regions where the remnant of the Armenian people exist; roads and lands almost back to the wild; starvation only kept off by American relief; villages and towns in ruins; brigandage rampant in the Transcaucasus; lack of medicines and warm clothing; winter coming on in a treeless land without coal. We saw nothing to prove that the Armenians who have returned to their homes in Turkey are in danger of their lives, but their natural apprehension has been greatly increased by unbalanced advice given by officers on the withdrawal of foreign troops from certain regions. The events at Smyrna have undoubtedly cheapened every Christian life in Turkey, the landing of the Greeks there being looked upon by the Turks as deliberate violation by the Allies of the terms of their armistice and the probable forerunner of further unwarranted aggression. The moral responsibility for present unrest throughout Turkey is very heavy on foreign powers. Meantime, the Armenian, unarmed at the time of the deportations and massacres, a brave soldier by thousands in the armies of Russia, France, and America during the war, is still unarmed in a land where every man but himself carries a rifle.

THE POLITICAL SITUATION AND SUGGESTIONS FOR READJUSTMENT.

In seeking a remedy for political conditions which shriek of misery, ruin, starvation, and all the melancholy aftermath, not only of honorable warfare but of bestial brutality, unrestrained by God or man, but which nevertheless prevail under an existing government with which the powers of Europe have long been willing to treat on terms of equality, one's first impulse is to inquire as to the possibility of reform from within. The machinery of government existing, can it be repaired and made a going concern, affording to its people the guarantees of life, liberty, and the pursuit of happiness which the modern world expects of its governments? The case of the Turkish Empire was duly presented to the peace conference in Paris on June 17 last by the Turkish grand vizier, Damad Ferid Pasha, in which he admitted for the Turkish Government of the unhappy region under consideration the commission of "misdeeds which are such as to make the conscience of mankind shudder with horror forever," and that "Asia Minor is to-day nothing but a vast heap of ruins." In the reply made by the council of 10 of the peace conference to the plea of the grand vizier for the life of his empire, the probability of that Government being able to accomplish reforms from within which will satisfy modern requirements and perhaps make amends for past crimes is well weighed in the following words:

Yet in all these changes there has been no case found, either in Europe or in Asia or in Africa, in which the establishment of Turkish rule in any country has not been followed by a diminution of prosperity in that country. Neither is there any case to be found in which the withdrawal of Turkish rule has not been followed by material prosperity and a rise in culture. Never among the Christians in Europe, nor among the Moslems in Syria, Arabia, or Africa, has the Turk done other than destroy wherever he has conquered. Never has he shown that he is able to develop in peace what he has gained in war. Not in this direction do his talents lie.

It seems likely, therefore, that, as far as the Armenians are concerned, the Turk has had his day, and that further uncontrolled opportunity will be denied him.

With the break-up of Russia, the Transcaucasus found itself adrift. This Transcaucasian region is ethnographically one of the most complicated in the world. In all ages it has been one of the great highways of mankind. Here stragglers and racial remnants have lodged during all the centuries that the tides of migration have swept the base of the great Caucasus Range until to-day its small area contains five great racial groups, divided into some 40 distinct races. Nine of these have arrived in comparatively recent times, but the remaining 31 are more or less indigenous. There are here 25 purely Caucasian races. This racial diversity is complicated by the fact that with the exception of the fairly compact group of Georgians, and one of Tartars, these peoples are inextricably commingled throughout the region. Their civilization varies from the mountain savage to individuals of the highest types. Of the 40 distinct races, the most important groups are the Georgians, the Azarbaijanese Tartars, and the Armenians.

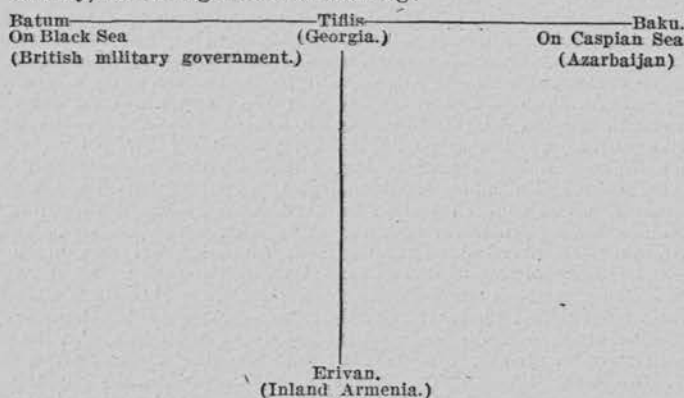
A Transcaucasian confederation formed by all the peoples in that region was followed by an alignment in three small Republics—Georgia, Azarbaijan, and Armenia. Georgia is Christian, and its Iberian population are in the majority; Azarbaijan is Tartar and Moslem; Armenia is made up of the former Provinces that composed Russian Armenia, less the part that went to Azarbaijan in the split, and the majority of its people

are the blood brothers of the Armenians of Turkey in Asia. These Republics have been recognized by none of the powers except Turkey. The Armenian Republic seeks at the peace conference a union with the Turkish Armenians, and the creation of an Armenian State to include Russian Armenia and the six Turkish Vilayets—Van, Bitlis, Diarbekir, Kharpout, Sivas, Erzerum—and Cilicia, to be governed by a mandatory of the great powers during a transition state of a term of years in which Armenians of the dispersion may return to their homes, and a constituent assembly be held to determine the form of the eventual permanent government. Georgia and Azarbaijan ask independence at the peace conference with certain adjustments of disputed boundaries in which all Transcaucasia is interested.

Both Georgia and Azarbaijan, living on the salvage from the wreck of Russia, have persuaded themselves that the civilization and governmental and business machinery they have taken over have been theirs from the beginning. The Georgians, with a church of their own antedating that of Russia, and traditions of a Georgian dynasty of Armenian origin which reigned in Tiflis for a thousand years before Russia took over the country in 1802, are a very proud and plausible race. They have been much influenced by the proximity of Bolshevism, fly the red flag of revolution over their own, and have nationalized land, taking it from the original owners without compensation, to sell to peasants. This measure has been unsatisfactory to both peasant and proprietor. The Azarbaijanese are Tartars by blood and Moslem by religion and sympathy. The varied topography of their little country and the diversity of its products make them more independent of outside help than either of the other Transcaucasian Republics. Both Georgian and Azarbaijan Governments live in terror of the forces of Deniken coming south of the Caucasus Mountains. Georgia has her little army on her northern frontier; and Azarbaijan has a tacit agreement with Gen. Deniken to refrain from hostilities against him in return for immunity from attack by his gunboats on the Caspian Sea.

The Russian Armenians are the blood brothers of those in Turkey, and came under Russian domination in 1878. They absorbed many Russian manners and customs, and the wealth and ability of the race gave them a predominant rôle in the Transcaucasus under Russia. Tiflis, which was the Russian capital, has probably the largest Armenian population of any city in the world except New York and Constantinople. They are friendly to Deniken and a reconstituted Russia, and their refusal to join Georgia and Azarbaijan against Deniken caused the break-up of the Transcaucasian Federation.

The dominant civilization in Transcaucasia is Russian. Everything worth while in the country is due to Russian money and Russian enterprise. Besides this common bond, these countries are interdependent in the matter of transportation. From Tiflis, the capital of Georgia, a railroad runs west to the Black Sea at Batum and east to the Caspian Sea at Baku, the capital of Azarbaijan, and south to Erivan, the capital of the Republic of Armenia. The road is one of system, of the Russian gauge, with the three radii from Tiflis, each ending in a different country, something like the following:



Under Russia the road was, of course, under one management, with shops, rolling stock, and policy in common. Georgia now controls the shops, Azarbaijan the oil fuel, and each of the three such rolling stock as it can get. No one of the three trusts the others; no through or continuous traffic is possible without an outside power guaranteeing the return of the rolling stock when it passes from one jurisdiction to another. Georgia does not hesitate to embargo freight against Armenia, and from her position of vantage simply censors the railroad traffic to that un-

fortunate country. Azarbaijan controls the fuel supply and combines with Georgia against Armenia, which alone of the three has nothing by which to exert leverage. The railroad can neither be consolidated nor properly operated under native control. Roadbed and rolling stock are rapidly deteriorating. An example of the power of Georgia over Armenia is that the latter is not permitted to import either arms or ammunition, though under almost constant menace from its neighbors.

The three Governments from an occidental standpoint are now thoroughly inefficient, without credit, and undoubtedly corrupt. Alone each faces inextricable financial difficulties. Religious differences, added to racial, threaten to embroil them unless brought under a common control. Two of them have no outlet to the Black Sea except through Georgia over the railroad. They have no present intermonetary, postal, or customs union, and, as stated, no definite agreement for common control and use of the railroad, and are in continual squabbles over boundaries. Azarbaijan has no educated class capable of well administering a government; Georgia is threatened by Bolshevism; Armenia is in ruins and partial starvation. All our investigation brings conviction that the people in each would welcome a mandatory by a trustworthy outside power. Russian Armenia would to-day probably vote a mandate to Russia if that power were reconstituted. Georgia recalls its ancient independence and was never thoroughly reconciled to Russian rule. Azarbaijan, Tartar and Moslem, feels a double tie to Turkey and distrusts the Christian, but the more intelligent people realize that outside control is inevitable and even necessary to their relations with Christian countries, and that Turkey is beyond consideration. So closely are the countries related geographically, commercially, and by the habit of generations that this mission not only believes that a mandatory is necessary for them but that it is imperative from the standpoints of peace, order, efficiency, and economy that the same power shall exercise a mandate over them all, leaving for the present their interior boundaries unsettled. The ultimate disposition or form of government of these States, other than that they may look forward to autonomy, but not necessarily independence, should, in our opinion, not now be announced. Their capacity for self-government and their ability to sustain amicable and workable relations among themselves remain to be tested under control by such power as may be induced to undertake its supervision, facing a long period of tutelage for possibly unappreciative and ungrateful pupils, much expense, probably diplomatic embarrassment from a reconstitution of Russia, and little reward except the consciousness of having contributed to the peace of the world and the rehabilitation of oppressed humanity.

The covenant of the League of Nations contemplates that "certain communities formerly belonging to the Turkish Empire" shall be subject to a mandatory power for an unstated period, thus appearing to recognize in advance the dismemberment to some degree of that Empire. [The italic is ours.] This, in connection with the arraignment of the Turkish Government in the reply of the peace conference, partly quoted on page 15 ante (see p. 6), may not unreasonably be construed to apply to any or all parts of the Turkish Empire as fast as they reach a certain stage of development. As between actual dismemberment and a receivership for his entire country, the Turk would beyond doubt prefer a mandatory for the whole Empire as it may stand after adjudication by the peace conference. Bad as he is, without the pale of consideration from many standpoints, there would seem to be no objection to action taken in his interest and in line with his preference if the interest and inclination of the world lie in the same direction.

A power which should undertake a mandatory for Armenia and Transcaucasia without control of the contiguous territory of Asia Minor—Anatolia—and of Constantinople, with its hinterland of Roumelia, would undertake it under most unfavorable and trying conditions, so difficult as to make the cost almost prohibitive, the maintenance of law and order and the security of life and property uncertain, and ultimate success extremely doubtful. With the Turkish Empire still freely controlling Constantinople, such a power would be practically emasculated as far as real power is concerned. For generations these peoples have looked to Constantinople as the seat of authority. The most intelligent and ambitious Armenians have sought the capital as a career. The patriarch of the Armenian Church in Constantinople, although subordinate in matters of doctrine to the Catholics at Etchmiadzin, is in reality the political head of the Armenian people by his location in Constantinople. Every people in the Empire is numerously represented at the capital, the Armenians reaching before the war the number of 150,000, with business connections ramifying to distant corners of the entire country. To no small degree the

future business and industrial development of their native land will depend upon these men. Transportation lines and commerce center at Constantinople. Before the war Constantinople was the most important port in continental Europe, reckoned upon the basis of shipping clearances. There are well-informed business men who believe it is destined to become the third most important commercial city in the world. But, through generations of habit, unless put under a mandatory, Constantinople will continue to be a whirlpool of financial and political currents. Concession hunting, financial intrigue, political exploitation, and international rivalries will center there in the future as in the past. Concerted international action for administration of Constantinople is impracticable. All concerts for governmental action are cumbersome; all concerts must have a leader to secure effectiveness, and were it possible to agree upon one power which should really lead, the reality of a mandate would exist with the handicap of a camouflage concert. In any concert for the future government of Constantinople there would still exist the temptation for single powers to play politics and befriend Turkey for value received. There must be actual control, for responsibility without authority is worse than useless in a land of oriental viewpoints.

As Americans, supposed to be disinterested, this mission was the recipient of confidences from the various sources. Turks when not deriding foreign efforts were deploring their effect on their unfortunate Empire. Without dependable centralized control of Constantinople, a power exercising mandate in Armenia would be crippled in administration, restricted in trade development, ridden by concessionaires, dependent on Turkish discredited diplomacy for redress of local and boundary grievances, and in extreme case practically cut off from communication with the western world. It is believed that allied sentiment is so crystallized in the opinion that Constantinople must be placed under a mandatory that it may safely be assumed for the purposes of this report that this will be done.

Conceded that there shall be a mandate for Armenia and Transcaucasia and one for Constantinople and Anatolia, there are many considerations that indicate the desirability of having such mandates exercised by the same power. If separate powers exercised such mandate the inevitable jealousies, hatreds, exaggerated separatist tendencies, and economic difficulties would compel failure. With all its faults the Turkish Empire is an existing institution and it has some rusty, blood-stained political machinery which under control of a strong mandatory can be made to function. The peoples in question live in adjacent territory and whether they wish it or not are neighbors. A single mandatory for the Turkish Empire and the Transcaucasus would be the most economical solution. No intelligent scheme for development of railroads for Transcaucasia and Armenia can be worked out without extension into Anatolia. Natural highways through the high mountains of Armenia are few, and transportation development will, with proper feeders, at best be costly and difficult; without access into Anatolia it will be impossible. For many years the expenses of exploitation will not be met by equivalent receipts. This situation would be alleviated by control of both regions. With Constantinople, Anatolia, and Armenia in different hands, the manufacturers and exporters of Armenia could not hope for an equal share in the commerce and trade of the Near East.

The Armenian Patriarch, the head of the Armenian Protestants, and others at Constantinople, on our return from Armenia, called and volunteered the belief that the Armenian question could not be settled within the boundaries of that country, and that they were prepared to pass under a single mandate which should include the other parts of the Turkish Empire. In a later written statement, however, they modified this, stating that while "Different nations of this Empire may enjoy the help of the same mandatory power" they felt that to bring Armenia under the same system of administration as that of the Turks would defeat the object of the development of Armenian ideals, "because by assuring the individual rights of a people the national rights and ideals of the same people can not necessarily be assured"; that "Giving a good government to the whole Turkish Empire will not induce the Armenians to gather to their native land. They will still be a scattered people, etc."

A party of distinguished Turks, including a former cabinet minister of high standing and a diplomat who for eight years represented his country at one of the European courts, stated that as between the independence of Turkey as it existed in 1914 and a mandate for the Empire given to the United States, they greatly preferred the latter, and believed that they spoke for the educated classes of all Turkey.

It has been very evident to this mission that Turkey would not object to a single disinterested power taking a mandate for her territory as outlined in the armistice with the Allies, and

that it could be accomplished with a minimum of foreign soldiery, where an attempt to carve out territory for any particular region would mean a strong foreign force in constant occupation for many years. The aim of the Nationalist, or National Defense Party, as its adherents style it, as stated by Mustapha Kemal Pasha, its head, is the preservation of the territorial integrity of the Empire under a mandatory of a single disinterested power, preferably America.

The mission, while at Sivas, had a conference with the chiefs of this party, which held a congress at Erzerum in July and one at Sivas in September. This movement has been the cause of much apprehension on the part of those interested in the fate of the Armenians, to whose safety it has been supposed to portend danger. The leader, Mustapha Kemal Pasha, is a former general officer in the Turkish Army, who commanded with distinction an army corps at the Dardanelles, and appears to be a young man of force and keen intelligence. He is supposed to have resigned from the army to lead this movement. It sought, as a means to its end, the overthrow of the Ferid Pasha cabinet, which has since fallen, claiming that it was entirely under the influence of one of the great powers which itself desires a mandate for the Empire. While professing entire loyalty to the Sultan, the Nationalist leader had gone to the extremity of cutting all official telegraph communications between the capital and the interior, pending the removal of the cabinet. The fall of the Damad Ferid Pasha ministry in October would seem to put the Empire behind the movement, for the Turkish officials in the interior were already identified with it. In a statement given out on October 15, Mustapha Kemal said:

The Nationalist Party recognized the necessity of the aid of an impartial foreign country. It is our aim to secure the development of Turkey as she stood at the armistice. We have no expansionist plans, but it is our conviction that Turkey can be made a rich and prosperous country if she can get a good government. Our government has become weakened through foreign interference and intrigues. After all our experience we are sure that America is the only country able to help us. We guarantee no new Turkish violences against the Armenians will take place.

The events of the Greek occupation of Smyrna and the uneasiness produced by the activities and propaganda of certain European powers have so stirred the Turkish people in the long interval since the armistice that the mission fears that an announcement from Paris at this time of an intention to carve from Turkey a State of Armenia, unless preceded by a strong military occupation of the whole Empire, might be the signal for massacres of Christians in every part of the country. There is no wisdom in now incorporating Turkish territory in a separate Armenia, no matter what the aspirations of the Armenians. Certainly it is unwise to invite trouble which may be avoided by the consolidation of the mandate region under a single power. Under one mandatory they will be neighbors. Under two or more they will be rivals, their small differences subjected to the interminable processes of diplomatic representation, with the maintenance of duplicate and parallel establishments in many lines of governmental activity. Only under a single mandatory can the matter of ultimate boundaries be deferred, which is believed by this mission to be important.

In the proposition to carve an independent Armenia from the Ottoman Empire there is something to be said on the part of the Turk; namely, that his people, even when all the refugees shall have returned to their homes, will be in the majority in the region contemplated for a reconstituted Armenia—and they were in the majority before the deportations took place—even though due, as it may be, to the gerrymandering of provincial boundaries and the partial extermination of a people. Notwithstanding his many estimable qualities, his culture, and his tenacity of race and religion, the Armenian generally does not endeavor himself to those of other races with whom he comes in contact. The Armenian stands among his neighbors very much as the Jew stands in Russia and Poland, having, as he does, the strong and preeminent ability of that race. He incurs the penalty which attaches among backward races to the banker, the middleman, and the creditor. Unjust as it may be, the sentiment regarding him is expressed by this saying current in the Near East: "The Armenian is never legally in the wrong; never morally in the right." Even the American missionary, who in so many instances has risked his life for his Armenian charges, does not, as a rule, personally like the Armenian as well as he does the more genial but indolent and pleasure-loving Turk. The Armenian is not guiltless of blood himself; his memory is long, and reprisals are due and will doubtless be made if opportunity offers. Racially allied to the wild Aryan Kurd, he is cordially hated by the latter. Kurds appealed to this mission, with tears in their eyes, to protect them from Armenians who had driven them from their villages,

appealing to be allowed to go back to their homes for protection against the rigorous winter now rapidly approaching on the high interior plateau. The Kurds claim that many of their people were massacred under the most cruel circumstances by Armenian irregulars accompanying the Russian Bolsheviks when the Russian Army went to pieces after the collapse of the Empire.

Similar claim is made by the people of Erzerum, who point to burned buildings in which hundreds of Turks perished, and by the authorities of Hassan-Kala, who give the number of villages destroyed by the Armenians in their great plain as 43. According to British Consul Stevens, at Batum, these statements were verified by a commission which examined into the allegations and on which Armenians had a representation. In Baku the massacre of 2,000 Azarbaijanese by Armenians in March, 1918, was followed by the killing of 4,000 Armenians by Azarbaijanese in November of the same year. From the standpoint of this mission the capacity of the Armenian to govern himself is something to be tested under supervision. With that still in doubt, the possibility of an Armenian minority being given authority over a Moslem majority, against whom its hearts are filled with rancor for centuries of tyranny, may well justify apprehension. There are very many who believe that the best elements of the Armenian race have perished. It is believed that with the reestablishment of order in their native country many of those who have emigrated to other countries will return. That, however, can only come with time, and even then it is doubted if many of the wealthy and influential Armenians long domiciled in happier lands will return to their somewhat primitive ancient home, even though such absentees have raised their voices most loudly for an autonomous Armenia. Certainly with arbitrary boundaries on the Anatolia side determined only by Armenian wishes; expediency, tradition, or even verified historical claims of former occupation, without regard to the present population, the mandatory powers for both Anatolia and Armenia should inaugurate government by placing a cordon of trustworthy foreign soldiers from the Black Sea to the Mediterranean. With a single power in control of both peoples and boundaries unannounced except as they have hitherto existed, such difficulties would not arise. Against such combination of authority and postponement of delimitation of boundaries is to be weighed the unchangeable belief of many that the Turk at the end of his tutelage will still be the Turk, bloodthirsty, unregenerate, and revengeful, and that it is unthinkable that Armenia shall ever again form part of a country which may be governed by him; that the sufferings of centuries should now be terminated by definite and permanent separation of Armenia from Turkey, and that this plan seems to contemplate a tutelage of indefinite length. To this the reply is that the Armenian should have no fear to submit his case to the League of Nations—the court of the world—and that he must in the meantime prove his capacity not only to govern himself but others, and that at the behest of the great powers a plebiscite could be had and the mandatory at any time be terminated by detachment of his territory from Anatolia as well as now and with much greater safety to him and convenience to his benefactors.

The conclusion of the American military mission to Armenia is that the remedy for the existing conditions in Armenia and the Transcaucasus is a mandatory control to be exercised by a single great power. The Armenian question can not be settled in Armenia. It can not be finally settled without answering two questions:

What is to be done with Turkey?

What is Russia going to do?

Pending the ultimate settlement of these questions the mission believes that, for reasons set forth, the power which takes a mandate for Armenia should also exercise a mandate for Anatolia, Roumelia, Constantinople, and Transcaucasia; the boundaries of the Turkish vilayets of Armenia and Anatolia and the interior boundaries of Russian Armenia, Georgia, and Azarbaijan to remain substantially as they are for the present. The divisions of such mandate are an administrative detail to be worked out by the mandatory power. Good administration indicates that there should be some intermediate authority between the Provinces and the capital. A natural subdivision of such a mandate as has been indicated would probably be: Roumelia, city of Constantinople (federal district), Anatolia, Armenia, district of Transcaucasia (less Russian Armenia).

The inclusion of the whole Turkish Empire under the government of a single mandatory would be simpler and proportionately more economical than to divide it. A plebiscite fairly taken would in all probability ask for an American mandate throughout the Empire. Syria and Mesopotamia, however, not being considered essential to the settlement of the Armenian question or as being the field for possible American responsibilities and

interests in the Near East as contemplated in the instructions to the mission, because actually occupied by France and Great Britain at this time, have been considered by us as excluded from our considerations, as is for a similar reason Arabia. In its belief that the Armenian problem is only to be solved by a mandatory which should include also Constantinople, Anatolia, Turkish Armenia, and the Transcaucasus, the mission has the concurrence of many Americans whose views by reason of long residence in the Near East are entitled to great weight. Such Americans are practically a unit in believing that the problems of Armenia, Anatolia, Constantinople, and Transcaucasia must be considered as an inseparable whole.

The mission has a strong conviction that the nation which may be induced by its colleagues to undertake this mandate should be one prepared to steadfastly carry out a continuity of policy for at least a generation, and to send only its most gifted sons to leadership in the work without regard to political affiliations. Only on the certainty of continuity of a nonpartisan policy would the best men forsake their careers in their own country to take up the burdens in these eastern lands. No disinterested nation would undertake such a mandatory except from a strong sense of altruism and international duty to the peace of the world in this breeding place of wars and at the unanimous wish of other parties to the covenant of the League of Nations.

No duty of modern times would be undertaken under so fierce a glare of publicity. Such nation would hold the center of the international stage, with the spotlight from every foreign office and from every church steeple in the world focussed upon it. No nation could afford to fail, or to withdraw when once committed to this most serious and difficult problem growing out of the Great War. No nation incapable of united and nonpartisan action for a long period should undertake it.

THE CONDITIONS AND PROBLEMS INVOLVED IN A MANDATE FOR TURKEY AND TRANSCAUCASIA.

This report has heretofore endeavored to consider the conditions and questions of which it treats in the abstract sense applicable to any nation which might be induced to assume the task of a practical regeneration of this region. Its interest for our country, however, lies in the possibility that the United States may be called upon by the world to undertake the task, and the necessity, therefore, of knowing what it would mean for America. The problems for the United States would not be identical with those of any other nation which might undertake it. A not too sympathetic Old World, without pretensions to altruism or too much devotion to ideals, will expect of America in the Near East the same lofty standards shown in Cuba and the Philippines—the development of peoples rather than of material resources and commerce. Distance, our time-honored detachment from the affairs of the Old World, our innocence from participation in the intrigues which have hitherto characterized intercourse with the Turk, our freedom from bias through the necessity of considering Moslem public opinion in other parts of the world, and the fact that we have no financial interest in the great foreign debt of the Ottoman Empire, give America a viewpoint and an advantage in approaching the situation that are enjoyed by no other great power.

A great part of the work of the mission has been devoted to a consideration of the situation as it would affect our own country should it be invited to assume a mandate in the Near East. The problem as a whole has been kept in mind while individual members of the mission have made special inquiry into different matters of which knowledge is necessary to reach an intelligent appreciation of the difficulties to be solved in this region. Each of these studies constitutes a unit on the subject with which it deals, too important to justify the risk of an attempt at epitomizing for this report. They are therefore submitted as appendices, as follows:

- A. Political Factors and Problems, by Capt. Stanley K. Hornbeck, Ordnance Department, United States Army.
- B. Government in Turkey and Transcaucasia, by Lieut. Col. Jasper Y. Brinton, Judge Advocate, United States Army.
- C. Public and Private Finance of Turkey and Transcaucasia, by Prof. W. W. Cumberland.
- D. Commerce and Industry in Turkey and Transcaucasia, by Trade Commissioner Eliot Grinnell Mears.
- E. Public Health and Sanitation, by Col. Henry Beeuwkes, Medical Corps, United States Army.
- F. Population, Industrial and Other Qualities: Maintenance, by Lieut. Col. John Price Jackson, Engineers, United States Army.
- G. Climate, Natural Resources, Animal Industry, and Agriculture, by Lieut. Col. E. Bowditch, Infantry, United States Army.
- H. Geography, Mining, and Boundaries, by Maj. Lawrence Martin, General Staff, United States Army.
- I. The Press of Turkey and Transcaucasia, by Maj. Harold W. Clark, Infantry, United States Army.
- J. The Military Problem of a Mandatory, by Brig. Gen. George Van Horn Moseley, General Staff, United States Army.
- K. Transport and Communications in Asia Minor and the Transcaucasus, by William B. Poland, engineer member of the mission.
- L. Bibliography.

THE MILITARY PROBLEM.

Our country has so recently sent its young manhood to war overseas and the heart of the Nation is so sensitive to any enterprise which calls for its sons to serve as soldiers in distant lands that the greatest interest attaches to the military problem involved in any mandate to which our people may ever give consideration.

The immediate problems which would lie before the Army and Navy of a mandatory power in Turkey and Transcaucasia are:

(a) The suppression of any disorder attendant upon withdrawal of occupying troops and the initiation of the government.

(b) The maintenance of order until a constabulary could be organized for the rural police of the mandatory region.

(c) To help organize and train a native constabulary.

(d) To constitute a reserve for moral effect, for possible actual use in supplementing the local constabulary in case of emergency, and for the prestige of the mandatory government in a region which has been governed by force since the beginning of history.

The inauguration of a mandatory government would be followed at a very early date by the withdrawal of the foreign troops now occupying the region and by the dissolution as soon as practicable of the permanent military establishments now maintained by Turkey and Transcaucasia. The United States accepting the mandate at the request of the other great powers and of the peoples interested, no resistance to her troops would be anticipated. On the contrary, they would doubtless be welcomed. No problem of external defense of the country occupied would exist.

(a) The present occupying force of the regions now under consideration, Roumelia, Constantinople, Anatolia, and Transcaucasia, excluding five Greek divisions occupying Smyrna, is the Army of the Black Sea and the troops in Cilicia, comprising about 50,000 of the British, French, Italian, and Greek Governments. The regular troops of Turkey and Transcaucasia to be disbanded in the same region at the convenience of the mandatory government aggregate about 92,000 men. The gendarmerie of Turkey amounts to about 30,000 men. The loss of man power in Turkey has been appalling, and too many men are still absent from work and carrying rifles.

It is not thought that any serious disorder would attend this substitution of the troops of the mandatory power for the army of occupation and for the native regular forces.

(b) During the formation of an efficient native constabulary, a period of six months to a year, small garrisons would have to be furnished along the railroads and in isolated towns, especially on the old frontiers, where feeling runs high between races. This would give security while the various nationals are being repatriated, reconstructing their homes, and adjusting themselves to new conditions. The suppression of outlaw bands, which already exist in some localities, and the formation of which in eastern countries invariably follows the disbandment of armies after a long war, would call for constant use of a certain number of United States troops pending the completion of the constabulary organization for service. During this period the disarmament of the civilian population would be accomplished.

(c) The first duty of a mandatory would be to guarantee the safety of life and property through the country, and to this end its earliest efforts should be directed to the establishment of a native rural police or constabulary for the suppression of brigandage, outlawry, and other crimes outside the towns. This force, with a military organization, should be a force of peace officers as that term is used in our own country, empowered to make arrests of criminals of all kinds, serve warrants, execute orders of arrest, etc. While decentralized in its administration, and destined eventually to operate in small bodies, it should be a Federal force, cooperating with but not serving under provincial officials. Its personnel should absorb the best elements of the present gendarmerie, and also provide suitable employment for deserving officers of the disbanded armies. For a considerable period its highest officers would necessarily be Americans, but as fast as the quality of the native officers justifies, the force should become native. The strength of the constabulary should be such as to enable it to take over the whole task of maintaining order outside the towns and release American troops at the earliest practicable date. Coincident with the organization of the constabulary would be the creation of efficient municipal police.

(d) Considering the uncertain character of the neighboring populations, the traditional lawlessness of migratory Kurds and Arabs, and the isolation of certain regions where the temptation to reprisals for past wrongs will be strong for at least a genera-

tion, a certain force must be kept in hand to supplement the native constabulary when needed. Such a force will also be necessary for general moral effect. Its mere existence will prevent organized disorder on a scale too large for a peace force to handle. Such a force would be stationed near the capital, trained for quick expeditionary work, and sent where needed.

The character of the troops should be suited to the purpose for which used. For expeditionary purposes, marines or infantry with artillery would be best. For moral effect in the interior and during the period of constabulary organization, cavalry would be preferable. A small, efficient air service should be maintained. The aeroplane is not only a means of very rapid communication, but its value for dealing with a distant small problem among half-wild tribes can not be overestimated. The country much resembles Mexico, and the conditions would be not unlike our border cavalry service. A regiment of railway engineers would be a necessity. During the initial period of the mandatory, troops would be needed in connection with the general problem of sanitation and cleaning up, and an extra proportion of sanitary troops would be necessary.

Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months. Uncertainty as to the time the mandate will be tendered and accepted make estimates merely approximate. Under conditions as they exist to-day the undersigned believes that a force of two American divisions, with several hundred extra officers, or a total force of 50,000, would be ample. Such force would be specially organized; one aeroplane squadron; a minimum of artillery; not to exceed one regiment of 75's motorized; a minimum of the special services; four times the usual number of sanitary troops; four regiments of cavalry, with minor changes in organization at the discretion of the senior general officer on duty with the mandatory government. This force should be substantially reduced at the end of two years, and by 50 per cent at the end of the third year. After that some further reduction could be slowly effected, but the irreducible minimum would be reached at about the strength of one division.

The annual cost for the force of the Army above stated would be at the maximum:

| | |
|--------------------------------------|--------------|
| For the first year..... | \$88,500,000 |
| At the end of two years perhaps..... | 59,000,000 |
| At the end of three years..... | 44,250,000 |

with thereafter a continuing appropriation of that sum less such amount as the local revenues could afford, probably a very substantial fraction of the cost.

To offset our expenditures there would be available at least a part of the naval and military budget hitherto used for the support of the disbanded armies in the region. In Turkey before the war this totaled about \$61,000,000 annually for the Army, including \$5,000,000 for the Navy.

The Naval Establishment should consist of a station ship for the capital, and probably one each for Smyrna, Mersina, Batum, and Baku, to meet local needs in quick transportation of troops. A transport of light draft capable of carrying a complete regiment should be permanently on station at the capital. Four to six destroyers would be needed for communication and moral effect. Collier, repair, and hospital service afloat should be in proportion. Old ships of obsolete type would probably answer for all except the station ship at the capital and the destroyers. Some ships of the Turkish Navy, of which there are over 30, could doubtless be used with American crews soon to be replaced by natives.

The Naval Establishment might not entail any additional Federal appropriations. Ships and personnel could probably be drawn from existing establishment; the only additional expense would probably be the difference in cost of maintenance in near eastern and home waters.

It is very important that a proper military and naval setting be given the mandatory government at the beginning. In no part of the world is prestige so important, and in no region have people been so continuously governed by force. The mandatory could at the outset afford to take no unnecessary risks among such a population in densest ignorance as to our resources and our national traits.

CONCLUSIONS.

This mission has had constantly in mind the moral effect to be exercised by its inquiry in the region visited. Very alarming reports had been received from Transcaucasia for several months before its departure from France, particularly as to organized attacks by the Turkish Army impending along the old international border between Turkey and Russia. The itinerary of the mission through Turkey was planned with those reports before it and with the intention of observing as to their truth

and, if possible, to exert a restraining influence. We practically covered the frontier of Turkey from the Black Sea to Persia, and found nothing to justify the reports. The Turkish Army is not massed along the border; their organizations are reduced to skeletons; and the country shows an appalling lack of people, either military or civilian. At every principal town through which we passed the chief of the mission held a conference with the Turkish officials. Inquiry was made as to the Christian community, some were always interviewed; the interest of America in its own missionaries and in the native Christians was invariably emphasized; the Armenian deportations, the massacres, and the return of the survivors were discussed on each occasion, as well as other matters intended to convince Turkish officials that their country is on trial before the world. The visit of the mission has had a considerable moral effect in securing the safety of Christian lives and property pending action by the peace conference.

We would again point out that if America accepts a mandate for the region visited by this mission it will undoubtedly do so from a strong sense of international duty, and at the unanimous desire—so expressed at least—of its colleagues in the League of Nations. Accepting this difficult task without previously securing the assurance of conditions would be fatal to success. The United States should make its own conditions as a preliminary to consideration of the subject—certainly before and not after acceptance, for there are a multitude of interests that will conflict with what any American would consider a proper administration of the country. Every possible precaution against international complications should be taken in advance. In our opinion, there should be specific pledges in terms of formal agreements with France and England and definite approval from Germany and Russia of the dispositions made of Turkey and Transcaucasia, and a pledge to respect them.

Of particular importance are the following:

Absolute control of the foreign relations of the Turkish Empire, no ambassador, envoy, minister, or diplomatic agent to be accredited to Turkey, and the latter to send none such abroad.

Concessions involving exclusive privileges to be subject to review if shown to be contrary to the best interests of the State.

Concessions undesirable from the standpoint of the mandatory upon which work has not been started to be canceled. Compensation to be allowed to holders when necessary.

The system by which specified revenues are assigned for particular purposes to be discarded. All revenues to be controlled by the treasury, and all creditors to look only to the treasury as the source of payment.

Foreign control over Turkey's financial machinery to cease, meaning the dissolution of the council of administration of the Ottoman public debt, reserving the right to retain some individual members of the council as advisers because of their familiarity with Ottoman finances.

All foreign obligations of the Empire to be unified and refunded.

Those countries receiving territory of the Turkish Empire, e. g. Syria and Mesopotamia, to assume their reasonable share of the paper currency, of the foreign obligations, and of obligation for possible reparation payments.

Abrogation, on due notice, of existing commercial treaties with Turkey.

All foreign Governments and troops to vacate territorial limits of mandate at dates to be fixed by the mandatory power.

Consent to many of these measures would not easily be obtained. Many nations now have some sort of financial control within the Ottoman Empire, and they would not see this control taken away without protest.

It needs no argument, however, to show that the United States could not submit to having her financial policies controlled from foreign capitals. The refunding of the debt, possibly with a reduction of the capital amount, would raise a storm of protest, but it should be insisted upon. Otherwise an American administration would be embarrassed and run the risk of being discredited.

The mission has not felt that it is expected to submit a recommendation as to the United States accepting a mandate in the Near East. It, therefore, simply submits the following summary of reasons for and against such action, based on all information obtainable during six weeks' constant contact with the peoples of the region:

Reasons for.

1. As one of the chief contributors to the formation of the League of Nations, the United States is morally bound to accept the obligations and responsibilities of a mandatory power.

Reasons against.

1. The United States has prior and nearer foreign obligations, and ample responsibilities with domestic problems growing out of the war.

Reasons for—Continued.

2. The insurance of world peace at the world's crossways, the focus of war infection since the beginning of history.

3. The Near East presents the greatest humanitarian opportunity of the age—a duty for which the United States is better fitted than any other—as witness Cuba, Porto Rico, Philippines, Hawaii, Panama, and our altruistic policy of developing peoples rather than material resources alone.

4. America is practically the unanimous choice and fervent hope of all the peoples involved.

5. America is already spending millions to save starving peoples in Turkey and Transcaucasia and could do this with much more efficiency if in control. Whoever becomes mandatory for these regions we shall be still expected to finance their relief, and will probably eventually furnish the capital for material development.

6. America is the only hope of the Armenians. They consider but one other nation, Great Britain, which they fear would sacrifice their interests to Moslem public opinion as long as she controls hundreds of millions of that faith. Others fear Britain's imperialistic policy and her habit of staying where she hoists her flag.

For a mandatory America is not only the first choice of all the peoples of the Near East but of each of the great powers, after itself.

American power is adequate; its record clean; its motives above suspicion.

7. The mandatory would be self-supporting after an initial period of not to exceed five years. The building of railroads would offer opportunities to our capital. There would be great trade advantages not only in the mandatory region but in the proximity to Russia, Roumania, etc.

America would clean this hotbed of disease and filth as she has in Cuba and Panama.

8. Intervention would be a liberal education for our people in world politics; give outlet to a vast amount of spirit and energy and would furnish a shining example.

9. It would definitely stop further massacres of Armenians and other Christians, give justice to the Turks, Kurds, Greeks, and other peoples.

10. It would increase the strength and prestige of the United States abroad and inspire interest at home in the regeneration of the Near East.

Reasons against—Continued.

2. This region has been a battle ground of militarism and imperialism for centuries. There is every likelihood that ambitious nations will still maneuver for its control. It would weaken our position relative to Monroe doctrine and probably eventually involve us with a reconstituted Russia. The taking of a mandate in this region would bring the United States into the politics of the Old World, contrary to our traditional policy of keeping free of affairs in the Eastern Hemisphere.

3. Humanitarianism should begin at home. There is a sufficient number of difficult situations which call for our action within the well-recognized spheres of American influence.

4. The United States has in no way contributed to and is not responsible for the conditions, political, social, or economic, that prevail in this region. It will be entirely consistent to decline the invitation.

5. American philanthropy and charity are world wide. Such policy would commit us to a policy of meddling or draw upon our philanthropy to the point of exhaustion.

6. Other powers, particularly Great Britain and Russia, have shown continued interest in the welfare of Armenia. Great Britain is fitted by experience and government, has great resources in money and trained personnel, and though she might not be as sympathetic to Armenian aspirations, her rule would guarantee security and justice.

The United States is not capable of sustaining a continuity of foreign policy. One Congress can not bind another. Even treaties can be nullified by cutting off appropriations. Nonpartisanship is difficult to attain in our Government.

7. Our country would be put to great expense, involving probably an increase of the Army and Navy. Large numbers of Americans would serve in a country of loathsome and dangerous diseases. It is questionable if railroads could for many years pay interest on investments in their very difficult construction. Capital for railways would not go there except on Government guaranty.

The effort and money spent would get us more trade in nearer lands than we could hope for in Russia and Roumania.

Proximity and competition would increase the possibility of our becoming involved in conflict with the policies and ambitions of States which now our friends would be made our rivals.

8. Our spirit and energy can find scope in domestic enterprises, or in lands south and west of ours. Intervention in the Near East would rob us of the strategic advantage enjoyed through the Atlantic, which rolls between us and probable foes. Our reputation for fair dealing might be impaired. Efficient supervision of a mandate at such distance would be difficult or impossible. We do not need or wish further education in world politics.

9. Peace and justice would be equally assured under any other of the great powers.

10. It would weaken and dissipate our strength, which should be reserved for future responsibilities on the American continents and in the Far East. Our line of communication to Constantinople would be at the mercy of other naval powers, and especially of Great Britain, with Gibraltar and Malta, etc., on the route.

Reasons for—Continued.

11. America has strong sentimental interests in the region—our missions and colleges.

12. If the United States does not take responsibility in this region, it is likely that international jealousies will result in a continuance of the unspeakable misrule of the Turk.

13. "And the Lord said unto Cain, 'Where is Abel, thy brother?' And he said, 'I know not; am I my brother's keeper?'"

Better millions for a mandate than billions for future wars.

Reasons against—Continued.

11. These institutions have been respected even by the Turks throughout the war and the massacres; and sympathy and respect would be shown by any other mandatory.

12. The peace conference has definitely informed the Turkish Government that it may expect to go under a mandate. It is not conceivable that the League of Nations would permit further uncontrolled rule by that thoroughly discredited Government.

13. The first duty of America is to its own people and its nearer neighbors.

Our country would be involved in this adventure for at least a generation, and in counting the cost Congress must be prepared to advance some such sums, less such amount as the Turkish and Transcaucasian revenues could afford, for the first five years, as follows:

| FIRST YEAR. | |
|---|---------------|
| General government..... | \$100,000,000 |
| Communications, railroads, etc..... | 20,000,000 |
| Relief, repatriation, education, etc..... | 50,000,000 |
| Army and Navy..... | 88,500,000 |
| Sanitation..... | 17,000,000 |
| Total..... | 275,500,000 |

| SECOND YEAR. | |
|-------------------------------------|-------------|
| General government..... | 75,000,000 |
| Communications, railroads, etc..... | 20,000,000 |
| Relief, education, etc..... | 13,000,000 |
| Army and Navy..... | 59,000,000 |
| Sanitation, etc..... | 7,264,000 |
| Total..... | 174,264,000 |

| THIRD YEAR. | |
|-------------------------------------|-------------|
| General government..... | 50,000,000 |
| Communications, railroads, etc..... | 20,000,000 |
| Relief, education, etc..... | 4,500,000 |
| Army and Navy..... | 44,250,000 |
| Sanitation, etc..... | 5,000,000 |
| Total..... | 123,750,000 |

| FOURTH YEAR. | |
|-------------------------------------|------------|
| General government..... | 25,000,000 |
| Communications, railroads, etc..... | 20,000,000 |
| Relief, education, etc..... | 4,500,000 |
| Army and Navy..... | 44,250,000 |
| Sanitation, etc..... | 3,000,000 |
| Total..... | 96,750,000 |

| FIFTH YEAR. | |
|-------------------------------------|------------|
| General government..... | 15,000,000 |
| Communications, railroads, etc..... | 20,000,000 |
| Relief, education, etc..... | 4,500,000 |
| Army and Navy..... | 44,250,000 |
| Sanitation, etc..... | 2,000,000 |
| Total..... | 85,750,000 |

| SUMMARY. | |
|------------------------|-------------|
| Total first year..... | 275,500,000 |
| Total second year..... | 174,264,000 |
| Total third year..... | 123,750,000 |
| Total fourth year..... | 96,750,000 |
| Total fifth year..... | 85,750,000 |
| Grand total..... | 756,014,000 |

14. Here is a man's job that the world says can be better done by America than by any other. America can afford the money; she has the men; no duty to her own people would suffer; her traditional policy of isolation did not keep her from successful participation in the Great War. Shall it be said that our country lacks the courage to take up new and difficult duties?

Without visiting the Near East it is not possible for an American to realize even faintly the respect, faith, and affection with which our country is regarded throughout that region. Whether it is the world-wide reputation which we enjoy for fair dealing, a tribute perhaps to the crusading spirit which carried us into the Great War, not untinted with hope that the

same spirit may urge us into the solution of great problems growing out of that conflict, or whether due to unselfish and impartial missionary and educational influence exerted for a century, it is the one faith which is held alike by Christian and Moslem, by Jew and Gentile, by prince and peasant in the Near East. It is very gratifying to the pride of Americans far from home. But it brings with it the heavy responsibility of deciding great questions with a seriousness worthy of such faith. Burdens that might be assumed on the appeal of such sentiment would have to be carried for not less than a generation under circumstances so trying that we might easily forfeit the faith of the world. If we refuse to assume it, for no matter what reasons satisfactory to ourselves, we shall be considered by many millions of people as having left unfinished the task for which we entered the war, and as having betrayed their hopes.

Respectfully submitted.

JAMES G. HARBORD,

Major General, United States Army, Chief of Mission.

Mr. ROBINSON. I understand, Mr. President, that the resolution goes over until Monday?

Mr. LODGE. Yes; I shall ask to lay it aside in a moment. It is the unfinished business. I do not want it to lose that position.

Mr. ROBINSON. With the understanding that it will not be taken up again until Monday? I make that suggestion to the Senator from Massachusetts, because I do not concur in the statement just made by the Senator from Mississippi [Mr. WILLIAMS] that the vote should be taken at once. I think the matter is of so much importance, and the Senate is so manifestly lacking in familiarity with the facts which are involved in a proper determination of the question, that a reasonable time should be devoted to its consideration. While I agree that a vote should be promptly taken, I do not think the vote should be attempted just at this time.

Mr. LODGE. That is the reason why I want Senators to read the synopsis of the Harbord report.

Mr. ROBINSON. Very well.

Mr. LODGE. I know that there is a very important conference report which the Senator from New York [Mr. WADSWORTH] has in charge, and I ask unanimous consent that the pending resolution be temporarily laid aside. This will also permit the Senator from Arkansas to have taken up the matter he wishes to have considered. I ask unanimous consent temporarily to lay aside the pending resolution.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Is there objection?

Mr. JONES of New Mexico. Before consenting that it may be laid aside, I should like to inquire of the chairman of the Committee on Foreign Relations whether the committee made any report in connection with the resolution, showing the conditions in Armenia, and what the mandate would involve?

Mr. LODGE. The committee made no report, because all the important matters are contained in the Harbord report, which has been ordered printed in the RECORD.

Mr. JONES of New Mexico. Of course, we are not all familiar with that report.

Mr. LODGE. It is going to be printed in the RECORD, and for the very purpose of bringing it before the Senate now.

Mr. JONES of New Mexico. May I inquire the general nature of that report, and by what authority it was prepared?

Mr. LODGE. It was a commission appointed, I think, by the peace conference, or it was appointed by the President. The Senator from New York [Mr. WADSWORTH] can tell me.

Mr. WADSWORTH. It was a commission appointed by the President, with the entire approval of the peace conference at Paris, and was dispatched to Armenia, where it spent a considerable length of time traveling all over the country.

Mr. JONES of New Mexico. What is the date of the report?

Mr. WADSWORTH. The report itself is dated October 16, 1919.

Mr. SMITH of Georgia. The 1st of April the report was brought over, and the commission had been at work six or eight months.

Mr. LODGE. They went all over Armenia.

Mr. SMITH of Georgia. Nearly a year ago they began their work.

Mr. LODGE. We have only printed the synopsis. The type-written report is of such magnitude that it would make too large a document if printed in full.

Mr. JONES of New Mexico. That seems to me to lay the foundation for the one observation which I wish to make at this time. Owing to a previous engagement, I shall not be here on

Monday, and I want to express this thought. I join with the Senator from Arkansas [Mr. ROBINSON] in the position that the Senate is not ready to vote on this very important question.

Mr. WILLIAMS. I do not know that I caught accurately the statement of the Senator, but I think the Senator a moment ago asked whether there was anything on the record showing the present conditions. I wish to say to the Senator that a subcommittee, of which the Senator from Ohio [Mr. HARDING] was chairman and of which I was a member, had somewhat prolonged hearings, and that matter is in print and available to Senators now, showing the actual conditions in Armenia.

Mr. LODGE. Will the Senator from New Mexico allow me to interrupt him for a moment?

Mr. JONES of New Mexico. I am very glad to yield.

Mr. LODGE. I had supposed an agreement had been reached to this extent, that we would on Monday make an agreement for a vote on that day, and under that condition I was very glad to lay the resolution aside for the convenience of other Senators. If we are not going to reach any agreement, and are to have an indefinite debate on it, we had better take the time now.

Mr. JONES of New Mexico. I shall be very brief in what I have to say.

Mr. LODGE. I did not wish to interrupt anything the Senator wanted to say now. I only meant that I shall withdraw my request temporarily to lay the resolution aside.

Mr. JONES of New Mexico. The remark of the Senator from Mississippi [Mr. WILLIAMS] has rather given point to the matter which I had in mind. It seems that some Senators have been studying this question, but there is no report from the Committee on Foreign Relations which bears upon the responsibilities which the Government would assume in the event that there should be a mandate accepted by it.

There has been no consideration given to any question of a qualified mandate. It is true we are not a member of the League of Nations, and to accept this mandate would be wholly aside from any question of our becoming a member of the League of Nations; but the request that we accept a mandate, if I am correctly informed, does come from the existing League of Nations, or the council of that league, which is assuming to put into effect the League of Nations and to look after the concerns of the world.

I assume that that request came in pursuance of the terms of the covenant of the League of Nations. On looking at that document it seems to me that our duties are not defined. This covenant of the League of Nations deals with two classes of mandates, and it seems to me that Armenia is in a special class, and that it may not involve all the consequences which were indicated by the chairman of the committee.

The chairman of the committee has made the statement that it would involve an expense for the first year, according to the report to which he has referred, of \$275,500,000; that it would mean the sending to Armenia of 60,000 American soldiers.

Mr. LODGE. That is the lowest estimate, I think.

Mr. JONES of Washington. That is the estimate submitted by the Senator, but I want to call the attention of the chairman of the committee as well as of the Senate to the provision in the covenant of the League of Nations regarding these mandates.

Mr. LODGE. That I have read.

Mr. JONES of New Mexico. I have no doubt the Senator has read it, and that every other Senator has read it, but the importance of it seems to have been overlooked at this time by the Foreign Relations Committee.

Article 22 of the covenant of the League of Nations provides that—

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandates on behalf of the league.

I invite the attention of the Senator to the next paragraphs:

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

Mr. President, this is one country, if I understand the situation, which was intended to be referred to by the language which I have just read, and as to this country, according to this provision of the covenant of the League of Nations, "the character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances," and referring particularly to Armenia it says that it "can be provisionally recognized subject to the rendering of administrative advice and assistance."

If I further understand the situation, as an outgrowth of the war the Republic of Armenia has been organized, a government has been formed, it has its representatives accredited to this country, and it is a constituted government. It is not one of those where we would want to put the country under the absolute control of any foreign power. Under the provisions of the covenant of the League of Nations, that mandatory may be restricted to the furnishing of administrative advice and assistance. That may be the extent of it. It may be necessary in furnishing assistance to go probably to the extent of the proposed amendment suggested this morning by the Senator from Nebraska [Mr. HITCHCOCK].

I do not know what ought to be done, but I say I do not believe the Committee on Foreign Relations has considered this matter with that earnestness and sincerity which its importance requires.

Mr. LODGE. If the Senator will allow me—

Mr. JONES of New Mexico. I gladly yield.

Mr. LODGE. I will state that the matter of Armenia has been under consideration in the Committee on Foreign Relations for months. We have had a subcommittee which gave elaborate hearings and went into the subject thoroughly. The committee does understand the question of Armenia, even if the Senator from New Mexico is not informed of it.

Mr. JONES of New Mexico. I, of course, am unable to look into the deliberations of the Committee on Foreign Relations, but there is one thing very apparent here. If that committee has studied this problem, if it has worked out this information, if it has reached some conclusion, if it has studied the alternative propositions, why has not the committee brought in something in the nature of a report?

Mr. LODGE. In the first place, we desire to save time. In the second place, we thought the question whether there would be a mandatory or not was so plain that a child might answer it. We brought in a report, voted by a large majority of the committee, that we would not authorize the President to take a mandate.

If the Senator wishes to occupy time and prevent action upon this matter, undoubtedly he can so obstruct business that he can prevent action before the 5th of June and prevent our notifying Europe as we ought to do. The Senator can do that. I quite admit it. My object is to get a plain answer given one way or the other. I agree with the Senator from Mississippi [Mr. WILLIAMS] that we owe it to Europe; that we owe it to the President; that we owe it to all our associates in the war, to say one thing or the other. The Committee on Foreign Relations considered themselves entirely competent, and they think the Senate is entirely competent to give an answer. The facts are all there in the Harbord report and in the hearings of our own subcommittee for anyone who wants to study them.

Mr. JONES of New Mexico. I think that the suggestion by the distinguished Senator of a probable filibuster on my part is wholly unjustified. I have never engaged in anything of that sort in this body and I hope I never shall. I am not attempting now to delay action. I think I can see the handwriting on the wall. I think it is perfectly apparent that the Foreign Relations Committee is willing to have the Senate act upon this resolution with the very meager information which has been suggested here this morning.

Mr. WADSWORTH. Will the Senator yield?

Mr. JONES of New Mexico. But I wish to suggest that the people of the country are not willing that such an important matter as this shall be disposed of in this very perfunctory way. I yield to the Senator from New York.

Mr. WADSWORTH. May I ask whether the Senator from New Mexico, in the event he has read the Harbord report, does not think that is one of the most exhaustive studies of a political, economic, and military problem ever presented to any legislative body?

Mr. JONES of New Mexico. I will state that I have been unfortunate enough not to have had an opportunity to read that report.

Mr. WADSWORTH. May I say to the Senator that the report has been printed here for weeks?

Mr. JONES of New Mexico. I am not a member of the Committee on Foreign Relations and I have not had the opportunity,

in connection with my other duties, such as every other Senator has here, to study this question in detail. The purpose of referring a resolution of this kind to the committee is to have that committee digest the facts and present them in some digested form to the Senate, so that the Senate may have information, and direct information, deliberately reached, on which to act.

Mr. WADSWORTH. Does the Senator think the Harbord report, as presented to the Senate, fails to digest the facts?

Mr. JONES of New Mexico. I have just stated that I have not read that report. I do not know what it states.

Mr. WADSWORTH. Then why does the Senator blame the Committee on Foreign Relations?

Mr. JONES of New Mexico. The Committee on Foreign Relations has not presented here this report as its judgment and its finding. The Senator from Massachusetts has just stated that the report consists of a large number of pages of manuscript, which have been digested and put into the form of a smaller pamphlet.

Mr. LODGE. The report covers a great many subjects other than Armenia. It covers conditions in the Near East. Some time ago I had a synopsis printed, which covers only the Armenian mandatory and gives all the figures. No one else can get anything better. We are not going to wait another two years in order to find out what another commission will report.

The President in his message says absolutely nothing in regard to the conditions of a mandatory. He gave us no information whatever as to Armenia, and I do not think he was called upon to do so. The Senator must think because he has not considered the subject that no one else has, and because he is uninformed that everyone else is uninformed. That is a hasty conclusion.

Mr. JONES of New Mexico. I think it is quite apparent from what has been said by the chairman of the committee that the committee itself has not considered any situation other than that contained in the report to which reference has been made. The committee assumes that a mandatory means the carrying out of a program according to that report, but I wish to say that a mandatory does not necessarily mean anything of the kind. The covenant of the League of Nations, under which this request is made, specifically provides that the mandate may be limited to the furnishing of administrative advice and assistance.

Have the Committee on Foreign Relations considered that phase of the case? Not at all. They have assumed that we are to go over and there take full responsibility for the running of that Government, that we should send soldiers over there at our own expense, that we should incur this great financial liability and endanger the lives of American soldiers. But there is absolutely nothing in the terms under which this request was made that would warrant any such assumption.

So I say that it seems to me the Committee on Foreign Relations ought to take up the question, consider the various phases of the mandate, and determine whether this great country of ours should not in its liberality do something to aid those oppressed people. We have passed resolutions expressing our sympathy for them. Do we mean what we say? I do not know whether we ought to have a mandate or not, but I am not willing to vote for the resolution and foreclose the day of investigation.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator from Wisconsin.

Mr. LENROOT. If the Senator had read the Harbord report he would have seen that the limited mandate he now suggests would be no protection whatever to the Armenian people, but would leave them in a worse state than if there had been no mandate, because such a limited mandate would shut out any of the European powers from accepting a mandate who ought to accept it.

Mr. JONES of New Mexico. There has been no consideration of the question as to whether the other nations of Europe would not join the United States in furnishing financial assistance, in furnishing military assistance, and practically take the burden of this whole matter off the shoulders of the United States, and leave it to us to furnish administrative and other advice and assistance.

Mr. McCORMICK. May I ask the Senator what lesson he draws from the experience of the condominium in Egypt as it would apply to a mandate exercised in association with other powers?

Mr. JONES of New Mexico. The question of Egypt is quite apart from this.

Mr. McCORMICK. The question of a condominium is not apart from the question of association with other powers in the exercise of a mandate in Armenia.

Mr. JONES of New Mexico. Mr. President, the action of the Foreign Relations Committee is further to be criticized by reason of the question asked by the Senator from Illinois [Mr. McCORMICK]. Has this thing he mentions been considered in connection with it? Has any honest effort been made to solve this problem and do a little something toward the preservation of the peace of the world? Are we to say that we will take no part in aiding other nations so that civilization may be preserved? Is that to be the attitude of this country?

I do not believe it, Mr. President, and I wish to say here and now that I think the resolution should be defeated, that the whole subject should go back to the Committee on Foreign Relations, and that that committee should try to do something to solve this most serious problem.

Mr. SMITH of Georgia. Mr. President, I have been much interested in the Armenian question. I have read a great deal of literature that has been published about it, and I have read all that has been published in document shape of the report of Maj. Gen. Harbord. The President appointed this major general, two brigadier generals, a number of colonels, a number of lieutenant colonels, majors, captains, and a few civilians nearly 12 months ago and sent them into that section to make a study. Their instructions were to—

Proceed without delay on a Government vessel to Constantinople, Batum, and such other places in Armenia, Russian Transcaucasia, and Syria, as will enable you to carry out instructions already discussed with you. It is desired that you investigate and report on political, military, geographical, administrative, economic, and other considerations involved in possible American interests and responsibilities in that region.

This was a mission selected by the President, with three generals and a number of other distinguished Army officers on it.

I wish to read to the Senate several extracts from their report. I think they show the magnitude of this undertaking and the utter impossibility of dealing with it in a mere informal way, as suggested by the Senator from New Mexico [Mr. JONES]. On page 15 I find the statement:

A power which should undertake a mandatory for Armenia and Transcaucasia without control of the contiguous territory of Asia Minor—Anatolia—and of Constantinople, with its hinterland of Roumelia, would undertake it under most unfavorable and trying conditions, so difficult as to make the cost almost prohibitive, the maintenance of law and order and the security of life and property uncertain, and ultimate success extremely doubtful.

Now, here is the report of the commission on the character of mandate, so far as territory which must be embraced is concerned, and it entirely excludes the idea of merely having some kind of a conference or indefinite association with a part of Armenia. Then, on page 17, we find:

The events of the Greek occupation of Smyrna and the uneasiness produced by the activities and propaganda of certain European powers have so stirred the Turkish people in the long interval since the armistice that the mission fears that an announcement from Paris at this time of an intention to carve from Turkey a State of Armenia, unless preceded by a strong military occupation of the whole Empire, might be the signal for massacres of Christians in every part of the country. There is no wisdom in now incorporating Turkish territory in a separate Armenia, no matter what the aspirations of the Armenians.

So the mission points out the necessity for a strong military occupation of the Turkish Empire before even an announcement of the purpose to carve out a State of Armenia.

Again it is said:

In the proposition to carve an independent Armenia from the Ottoman Empire there is something to be said on the part of the Turk, namely, that his people, even when all the refugees shall have returned to their homes, will be in the majority in the region contemplated for a reconstituted Armenia.

Again it is said:

The Kurds claim that many of their people were massacred under the most cruel circumstances by Armenian irregulars accompanying the Russian Bolsheviks when the Russian Army went to pieces after the collapse of the Empire.

Then a description of a massacre by Armenians and massacres by others is given, following which the report says:

The inclusion of the whole Turkish Empire under the government of a single mandatory would be simpler and proportionately more economical than to divide it.

The mission has a strong conviction that the nation which may be induced by its colleagues to undertake this mandate should be one prepared to steadfastly carry out a continuity of policy for at least a generation.

The mission advises that we should not undertake the task unless prepared to continue in the work for a generation.

Then they state:

No nation could afford to fall or to withdraw when once committed to this most serious and difficult problem growing out of the great war.

Again they say:

Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months.

Further they say the expense would be—

| | |
|---------------------------------|--------------|
| For the first year | \$88,500,000 |
| At the end of two years perhaps | 59,000,000 |
| At the end of three years | 44,250,000 |

Mr. WADSWORTH. That is for the Army alone, may I remind the Senator from Georgia.

Mr. SMITH of Georgia. That was the expense of maintaining the Army.

Mr. LODGE. Of maintaining the Army alone?

Mr. SMITH of Georgia. Yes.

After they finish their detailed report they present reasons for and against the proposition. As one reason for it is that—

3. The Near East presents the greatest humanitarian opportunity of the age—a duty for which the United States is better fitted than any other—as witness Cuba, Porto Rico, Philippines, Hawaii, Panama, and our altruistic policy of developing peoples rather than material resources alone.

It is presented solely as an altruistic task. What authority has Congress to tax the people of the United States for altruistic purposes? I know of none. What authority, then, have we to use the money of the people for purely altruistic purposes? I know of none.

Mr. THOMAS. Mr. President, does not the Senator know that the United States has so much money that it does not know what to do with it, and, consequently, if we could embark upon an altruistic campaign and thereby provide a channel for further expenditure it would relieve the Treasury of its present congestion?

Mr. SMITH of Georgia. I remember having heard years ago during one administration that the way to get rid of the surplus in the Treasury was to stop collecting taxes.

Mr. THOMAS. Oh, Mr. President, that is obsolete.

Mr. SMITH of Georgia. That was more than a quarter of a century ago.

Mr. THOMAS. We have gone away beyond that.

Mr. SMITH of Georgia. Again, in the final figures presented the board suggests an expenditure of \$275,000,000 for the first year; \$174,264,000 for the second year; and \$756,000,000 for the first five years. They then present this view as adverse to the mandate:

10. It would weaken and dissipate our strength, which should be reserved for future responsibilities on the American continents and in

And it is suggested that Great Britain, Russia, and contiguous countries really should carry the responsibility. I have omitted one extract from the report which I regard as of especial importance. It is the suggestion that before we can properly assume a mandatory it is necessary to ascertain what is to be done with all of Turkey, and what is Russia going to do.

As I understand the President, he makes a request for authority to take a mandate for Armenia, without explanation and without limitation.

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him?

Mr. SMITH of Georgia. I yield.

Mr. LODGE. Not even the boundaries of Armenia, over which we are asked to take a mandate, have as yet been fixed.

Mr. SMITH of Georgia. And, as I have pointed out, the Harbord report, to which certainly we may all give the greatest credence, as the President selected the members of the commission and as they were chosen from the very ablest Army officers especially suited for the work, shows that the mandate can not be successfully handled if it simply includes what is technically called Armenia, but that it must be broadened over a much greater extent of territory. Great Britain has Mesopotamia; France has Syria; and Greece has a nice slice of territory in the same neighborhood. This report indicates that the section proposed to be placed in our charge is rough, mountainous, and unproductive, but excellently situated to bring on our troops all the attacks and all the warlike movements probable in that section. We would be located as a buffer against the Russian soviet; we would be made a buffer against other warlike peoples.

Mr. THOMAS. Mr. President, the Senator says we would be a buffer against the soviets. It appears from recent dispatches from the Near East that the Bolsheviks are already in Armenia. Does not the Senator believe that the presence there of an American army of 70,000 would, under those circumstances, inevitably involve an armed conflict with the soviets?

Mr. SMITH of Georgia. It would involve this: The commission state that the 59,000 soldiers—

Mr. THOMAS. The number is 69,000, I think.

Mr. LODGE. Two divisions.

Mr. SMITH of Georgia. That the 59,000 suggested by them as possibly sufficient must not be considered except in the light of the then conditions, for in a few months the mission advises changes might be such that a vastly greater number of troops would be required.

Mr. THOMAS. I call the Senator's attention to page 26, where the number is fixed at 69,450.

Mr. SMITH of Georgia. On page 23 it says 59,000.

Mr. THOMAS. I am referring to page 26. Page 23, I think, refers to another army.

Mr. SMITH of Georgia. No.

Mr. THOMAS. Then the print of the document which the Senator has and the print which I have differ.

Mr. SMITH of Georgia. Page 23 of the little pamphlet I have refers to the first suggested army and contains the statement:

Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months.

Mr. THOMAS. The Senator's print and mine are different. I read from page 26, which gives an estimate of a number of troops "for the first setting of the problem." A little matter of 10,000 soldiers 5,000 miles away is immaterial.

Mr. SMITH of Georgia. I wish I thought 10,000 more men would be sufficient. I regard 100,000 more as not sufficient to assure us safety there. I would regard under present conditions the sending of 50,000 men into that section, in the light of this report and in the light of changed conditions since the report was made, as just an offer of the men for sacrifice.

Mr. LODGE. Mr. President, I should like to call the attention of the Senator—and I think he will be interested in looking at it—to the more detailed formal military report, which is one of the parts of the Harbord report, made by Brig. Gen. Mosely, which has just been printed. That report presents very elaborate conclusions as to the military conditions. Let me say, further, to the Senator, if I do not interrupt him unduly, that northern Armenia, what was Russian Armenia, where they have their capital, the name of which I believe is Eriwan, is just at the point where attacks are made. England is there holding Mesopotamia; France is holding Syria; Italy has a great block of territory in the neighborhood, and Armenia is the point at which they must be protected, not merely from the Bolsheviks but from the Turks, the Kurds, and the Georgians—and there has already been fighting with the Georgians. It is the crossroads. As I have heard it described by somebody, there are three banks and a poorhouse there, and we have been given the poorhouse.

Mr. SMITH of Georgia. Mr. President, I merely desired to call attention to a few extracts from the Harbord report, because they are very striking, but anyone interested in the subject should read the whole report and read it carefully. The mandate proposal presents, according to the commission, a tremendous undertaking, larger to-day than it was then; and the broad request is that we take a mandate over Armenia without knowing what Armenia is, what territory is to be covered, or what responsibilities really are to rest upon us.

I can not believe that the people of this country desire to be taxed this additional amount for this purpose. I am not prepared to concede the constitutional authority of Congress to collect taxes beyond the requirements of the general welfare of the United States and the people in the United States.

Do the mothers of our country wish their boys taken for this service? Let me call attention to the fact that in the estimate of troops to be sent four times the normal number of medical attendants are required to meet the ravages of disease in that country, diseases to which our men would be subject.

I believe that the nations already interested in that immediate section should handle the Armenian question, and it is unreasonable to ask our people to carry such a burden so far away.

The Armenian country, as described by the commission, is rough and barren. France and England have taken the rich oil wells and copper mines. They have taken that which promises them and their people a handsome return. To the United States they offer that which can bring nothing but heavy loss of money and lives.

We had an opportunity a few years ago of exercising a mandatory over Mexico. The Armenian mandatory would be far more complicated, dangerous, and expensive than would have been a temporary supervision of Mexican territory.

We did not even declare war against Turkey, and the supervision and adjustment of the Armenian problem properly rests with England, France, and those countries which were in the war with Turkey. This mandatory over Armenia which the President is urging is an illustration of the burdens we would have assumed under the League of Nations if it had been ratified without reservations nullifying a number of its provisions.

Mr. THOMAS. Mr. President, does not the Senator think that the same burdens which we have avoided because of the rejection of the treaty will come to the United States once it sets such a precedent as would be established by the acceptance

of this mandate? In other words, how could we accept the mandate for Armenia and then refuse to accept other mandates?

Mr. SMITH of Georgia. We probably could not. It is one of the worst parts of the treaty. We are asked to accept a thing which involves us in complications, responsibilities, and wars. That constituted one of the grievances I found in the treaty itself.

Mr. THOMAS. Let me ask the Senator one more question. If the United States is to enter upon this policy, does not the Senator think, upon the principle that charity begins at home, that we should assume a mandate for Mexico, which is right upon our border?

Mr. SMITH of Georgia. The objection to a mandate over Mexico is that it is so near home it might contribute to the welfare of our own people.

Mr. BRANDEGEE obtained the floor.

Mr. ROBINSON. Mr. President, will the Senator from Connecticut yield to me to submit a request for unanimous consent which, I think, will require only a few minutes?

Mr. BRANDEGEE. I yield.

LAND IN PANAMA CANAL ZONE.

Mr. ROBINSON. I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565), and that it be referred to the Committee on Inter-oceanic Canals.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBINSON. I submit a favorable report on behalf of the Senator from Idaho [Mr. BORAH], the chairman of the Committee on Inter-oceanic Canals—who is engaged elsewhere on public business—and I ask for the present consideration of the bill. I will make a brief statement of the purpose of the bill. I have spoken to the Senator from Washington [Mr. JONES], who informs me that he has no objection to the request.

Mr. JONES of Washington. The bill, in the first instance, should have gone to the Inter-oceanic Canals Committee.

The PRESIDING OFFICER. There is a unanimous-consent request pending. Is there any objection to the request for unanimous consent made by the Senator from Massachusetts [Mr. LODGE]?

Mr. BRANDEGEE. I object.

The PRESIDING OFFICER. Objection is made. The Senator from Arkansas asks unanimous consent that the Senate proceed to the consideration of House bill 6222.

Mr. ROBINSON. In submitting the request, I will explain briefly, with the consent of the Senator from Connecticut, the purpose and provisions of the bill.

As a part of its original grant, the Panama Railroad Co. acquired the lots involved in this bill. It executed a lease on the lots to a Masonic lodge in Colon or Cristobal. That lodge proceeded with the construction of a building, but before the building was complete found itself unable to complete the construction, so the Panama Railroad Co. effected an arrangement with the lodge and completed the building.

That arrangement was in the nature of an option to purchase in favor of said lodge. Subsequent to this arrangement the Panama Canal act of August 24, 1912, authorizing the President of the United States to issue an Executive order in effect reserving all of these lands from sale or disposition, was passed, and on December 5 the President issued such Executive order. It was not intended to embrace lands in the situation that these are in. The bill authorizes the conveyance of these lands by the Panama Railroad Co., and authorizes the Panama Railroad Co. to retain the proceeds, as it has advanced sums in the construction of the building and originally owned the lots. The bill has the approval of all of the departments of the Government concerned, the governor of the Canal Zone, the Secretary of War, and all others who have jurisdiction or supervision over that area.

Mr. BRANDEGEE. From what committee does the bill come?

Mr. ROBINSON. From the Committee on Inter-oceanic Canals. I am making the report for the Senator from Idaho [Mr. BORAH], who is busy with other public duties and who asked me to proceed with the bill.

Mr. BRANDEGEE. What is the Senator's request for unanimous consent?

Mr. ROBINSON. My request is to discharge the Committee on Commerce from the consideration of the bill, the bill having actually been considered by the Committee on Inter-oceanic

Canals, to report the same favorably, and to proceed to its consideration.

Mr. BRANDEGEE. I have no objection whatever, provided the unfinished business is not laid aside.

Mr. ROBINSON. It is not my attention to ask to have the unfinished business laid aside.

Mr. BRANDEGEE. I agree to unanimous consent for the consideration of the matter the Senator wants to suggest, provided that we return immediately to the consideration of the pending measure.

Mr. ROBINSON. I have no objection to that course, and I understand that would be the effect of the action which I am asking.

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). Is there objection to the request of the Senator from Arkansas? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ROBINSON. Mr. President, there is an amendment which the legal department of the Canal Zone thinks necessary to be incorporated in the bill, as follows:

Add a new section to the bill in the following language:

"Sec. 2. The Panama Railroad Co. is hereby authorized to sell, transfer, and convey said lots or tracts of land, with all improvements thereon, to any other person or persons or association of persons, and retain the consideration therefor for its own use."

This is the amendment which was suggested by the canal attorney and which has the approval of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add at the end of the bill a new section, as follows:

Sec. 2. The Panama Railroad Co. is hereby authorized to sell, transfer, and convey said lots or tracts of land, with all improvements thereon, to any other person or persons or association of persons, and retain the consideration therefor for its own use.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ROBINSON. I ask leave to have printed in the RECORD the House report on the bill, and a letter to me from a Member of the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[House Report No. 123, Sixty-sixth Congress, first session.]

TO EXEMPT A CERTAIN TRACT OR LOTS OF LAND IN CRISTOBAL, CANAL ZONE, ETC.

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, submitted the following report, to accompany H. R. 6222.

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 6222) to exempt certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, having considered the same, report thereon with a recommendation that it pass.

Among other lands which have belonged to the Panama Railroad Co. from the time of its original grant was a certain tract of land located in what is now Cristobal, Canal Zone, and described as lots Nos. 641, 643, 645, and 647, aggregating about 12,000 square feet, being at the corner of Eleventh and Bolivar Streets.

In 1912 Sojourners Lodge, A. F. and A. M., of Cristobal, Canal Zone, leased from the Panama Railroad Co. the above-described lands, on which to erect a Masonic temple. The erection of the building was begun and partially completed when the lodge found that it was financially unable to complete the project, and its completion was afterwards undertaken by the Panama Railroad Co. By agreement with the Panama Railroad Co., in writing, the lease which had been executed between the lodge and the railroad company was surrendered and a new contract for the purchase of the building from the railroad company by the lodge was executed, to pay for the property within the period of five years from its date, July 7, 1913. The consideration to be paid by the lodge for the building which had been erected on the lots was \$130,000 and the payment of certain ground rentals for the land.

Before the contract of sale was consummated, however, it was discovered that there was a legal obstruction to the proper execution of the conveyance by the Panama Railroad Co. because of the order of expropriation issued by President Taft on December 5, 1912, issued in pursuance of the provisions of the act of Congress known as the Panama Canal act.

The act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone, approved August 24, 1912, known as the Panama Canal act, contains the following provision:

"Sec. 3. That the President is authorized to declare by Executive order that all land and land under water within the limits of the Canal Zone is necessary for the construction, maintenance, operation, sanitation, or protection of the Panama Canal, and to extinguish by agreement, when advisable, all claims and titles of adverse claimants and occupants. Upon failure to secure by agreement title to any such parcel of land or land under water, the adverse claim or occupancy shall be disposed of and title thereto secured in the United States, and compensation therefor fixed and paid in the manner provided in the

aforsaid treaty with the Republic of Panama, or such modification of such treaty as may hereafter be made."

Acting under the authority of this provision of the canal act, President Taft, on December 5, 1912, issued the following Executive order:

EXECUTIVE ORDER.

By virtue of the authority vested in me by the act of Congress entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912, I hereby declare that all land and land under the water within the limits of the Canal Zone are necessary for the construction, maintenance, operation, protection, and sanitation of the Panama Canal; and the chairman of the Isthmian Canal Commission is hereby directed to take possession, on behalf of the United States, of all such land and land under the water, and he may extinguish, by agreement when practicable, all claims and titles of adverse claimants to the occupancy of said land and land under the water.

WM. H. TAFT.

THE WHITE HOUSE,
December 5, 1912.

(No. 1656.)

While the above Executive order expropriating the lands in the Canal Zone was not intended to apply to lots situated as were those in question, yet under it title thereto would constructively pass to the United States; so that it has been thought by the legal advisers of the Panama Railroad Co. as well as by the governor of the Canal Zone that the Panama Railroad Co. could not properly execute the contract and consummate the sale of the building to the Masonic lodge without an act of Congress to remove the particular lots of land on which the building is located from the operation and effect of the President's Executive order of December 5, 1912.

The bill H. R. 6222 was introduced for that purpose, and the committee, upon consideration of the same, found that the contract for the purchase of the building was entered into by the parties in good faith, and its consummation is prevented solely by the Executive order above referred to, the fact and effect of which was overlooked by inadvertence at the time the contract was executed.

The committee further finds that no objection on the part of the canal or railroad officials has been raised against the consummation of the contract, other than the lack of authority, and it does not appear that the building is either necessary or suitable for canal purposes.

The building is a three-story structure built according to the original plans and specifications of the Masonic lodge which originally began its construction.

The officers of the lodge addressed a communication on May 10, 1917, to President Wilson, asking him by Executive order to exclude the lots in question from the effect of the Executive order of President Taft of December 5, 1912. President Wilson referred the matter to Secretary of War Baker.

On June 23, 1917, Secretary Baker addressed the following letter to the officers of the lodge, inclosing a copy of his letter addressed to Hon. J. P. Tumulty, Secretary to the President, which is also printed herewith:

WAR DEPARTMENT,
Washington, June 23, 1917.

MR. RALPH OSBORN,
Master Sojourners Lodge, A. F. and A. M.,
Cristobal, Canal Zone.

SIR: Receipt is acknowledged of your letter of May 10, 1917, addressed to the President, with reference to the desire of your lodge to purchase the building known as the Masonic Temple in Cristobal and the lot upon which the building stands.

For your information I am inclosing herewith copy of a letter addressed by me to Mr. J. P. Tumulty, Secretary to the President, setting forth my recommendations to the President in the matter.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

WAR DEPARTMENT,
Washington, June 23, 1917.

Hon. J. P. TUMULTY,
Secretary to the President,
The White House.

MY DEAR MR. TUMULTY: On the 25th ultimo you transmitted to me a communication addressed to the President by Congressman Swager Sherley, dated May 23, in reference to the Masonic Building at Cristobal, Canal Zone, the object of Mr. Sherley's communication being to secure an Executive order which would authorize the Panama Railroad Co. to consummate a contract with the Sojourners Lodge, A. F. and A. M., of Cristobal, Canal Zone, for the purchase of the building in Cristobal known as the Masonic Temple.

I have also received by reference from the President a letter from the master of the Sojourners Lodge, dated May 10, 1917, relating to the same matter.

As I informed you in my letter of May 28, acknowledging your communication of the 23d, the question was referred to the governor of the Panama Canal for an expression of opinion. I have now received a communication from the governor in which the matter is discussed, and he advises that in his opinion it will be necessary that authority to purchase the property and lot should be secured from Congress. The matter has been carefully considered on the Isthmus by the legal advisers of the Panama Canal, and in view of their concurrence in the opinion expressed by the governor, I beg to recommend that you inform Mr. Sherley and the President and the Sojourners Lodge of my concurrence in the governor's recommendation and suggest that they proceed to secure the necessary authority from Congress for the consummation of the desired purchase.

Sincerely, yours,

NEWTON D. BAKER,
Secretary of War.

The following letter under date of May 17, 1919, was written by Gov. Chester Harding, of the Canal Zone, to the officers of the lodge:

THE PANAMA CANAL,
Balboa Heights, Canal Zone, May 17, 1919.

MR. CLINTON G. CARTY,
Chairman Purchase Committee,
Sojourners Lodge, A. F. and A. M., Cristobal, Canal Zone.

SIR: Replying to your letter of the 15th instant, in which you ask me to advise whether or not the local authorities have objection to the transfer of the Masonic Temple Building in Cristobal, Canal Zone, to

the Sojourners Lodge, A. F. and A. M., I have to advise you that there is no objection except the legal one of lack of authority, in view of the taking over by the Government of all property within the limits of the Canal Zone by the Executive order of December 5, 1912. I am advised that the requisite authority is obtainable only as a result of congressional legislation.

Respectfully,

CHESTER HARDING, Governor.

Since there does not seem to be any objection on the part of the Government nor of the governor of the Canal Zone except the legal one, it would seem that the legal objection should be removed by an act of Congress so as to permit the lodge to complete the purchase of the building that was built for its special use, and the committee recommends that the bill pass.

HOUSE OF REPRESENTATIVES.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D. C., February 4, 1920.

Senator JOSEPH T. ROBINSON,
Senate Office Building, City.

MY DEAR SENATOR ROBINSON: Following the suggestion made in our conversation recently, I am inclosing herewith copy of H. R. 6222, to remove a certain tract or lot of land at Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912. This matter has been pending for a long time.

During the Sixty-fifth Congress it was placed in the hands of Congressman Swager Sherley, but nothing was done. And I introduced a bill by request at the first session of this Congress.

Some years ago the Panama Railroad Co. leased the lots in question to the Masonic lodge at Cristobal for the purpose of erecting thereon a Masonic building. After the building was started the lodge found it was unable to finance it, and, by agreement between the parties, the Panama Railroad Co. completed the building and gave the lodge a lease thereon with an optional right to purchase under certain terms mentioned. Thereafter the lodge raised the funds and undertook to exercise its option and to secure the title to the property, when it was found that the Panama Railroad Co. could not legally transfer the title because of the Executive order of President Taft expropriating all lands in the Canal Zone and lands under water for the use of the Government, in accordance with the treaty between this country and Panama. While the intention was not to transfer to the Government title to properties of this kind, yet the order of expropriating was general, and it was held that the title to these lots constructively passed to the Government.

My bill was introduced in order to enable the railroad company to go ahead and complete the construction and sell the building to the lodge, which it had built for it, and in accordance with plans and specifications made by the lodge.

While I was in Panama last spring a number of the members of the lodge spoke to me about it and expressed the hope that the title could be straightened out in some way. The Panama Railroad Co. built a very handsome building there especially for the Masonic lodge, and now that the lodge is able to pay for it there is no reason why the Government should claim title to it and prevent the transfer simply because this general order of expropriation issued by President Taft would transfer constructively the title to the Government. The Panama Railroad Co. furnished the money with which the building is built and had title to the property at that time.

This matter has been considered carefully by the President, the Secretary of War, the governor of the Canal Zone, and the attorneys of the canal government, and there is no objection to the transfer, except the legal one, and they recommend that legislation be enacted in order to remove the legal objection.

I introduced the bill in the form thought necessary at that time, in order to accomplish the desired purpose. But after the bill had been presented to the House and passed the House and sent to the Senate, a letter was received from Judge Feuille, special attorney of the Panama Canal, in which he takes a different position as to the title from that theretofore held by the officials down there, and in order to conform to his view of the matter there will have to be an amendment made to the bill by the Senate committee.

I am inclosing a copy of the bill as it passed the House with an amendment added, which I take the liberty to suggest as proper to be considered by the Senate committee in order to make the bill conform to the views of Judge Feuille.

As this is a matter of importance to the Masonic lodge, I have hoped that the legislation might be speedily enacted. I have endeavored to get Senator BORAH to call a meeting of the committee, but up to this time he has not seen fit to do so. I know of no reason why the bill should not pass, and if you can do anything to have the bill considered by Senator BORAH's committee I will appreciate it, as I am sure the members of the Sojourners Masonic Lodge in Panama will. If the com-

mittee could have a meeting and permit me to go before them and make a statement, I could, I think, make clear the legal questions involved and present correspondence showing that the proposed legislation has the approval of all of the parties above named.

Yours, truly,

E. E. DENISON.

SHORTAGE OF CARS.

Mr. HARDING. Mr. President, I ask unanimous consent to present and have immediate consideration of a resolution. I think perhaps it will facilitate matters if I explain, before offering the resolution, why I want this consent.

When the so-called Cummins law was enacted by the Congress, restoring the railroads to their owners, a provision was made in section 401, paragraph 12, relating to the car service under the direction of the Interstate Commerce Commission. I have no disposition to read the section and add that much to the consumption of time; but, in brief, it provides for a just and equitable distribution of cars among the various coal mines served by the lines of railway in case of shortage. This is clearly the intent of the law. It is a distinct provision in the statute.

Very recently, facing the shortage in the open-car service of the railroads, the Interstate Commerce Commission has suspended this statutory provision. The result of it has been very unacceptable to the public, to the coal miners, and to the coal operators of southern Ohio, and probably other sections of the country. I desire, therefore, to offer a resolution making inquiry of the Interstate Commerce Commission as to what authority there is for the suspension of a clearly expressed provision of the statute enacted returning the railroads.

I do not think it is necessary to make a presentation of the evils that have been wrought by this decision on the part of the commission, nor do I think that it is the province of Congress to undertake the detailed management of the railway service of this country; but it is so apparent that the consignment of cars for railway use in times of shortage is working a hardship both to the public and to the miners and to the mine operators that we ought to know precisely whether the law as passed was intended to mean what it says or whether there is an authority above the law. Therefore I desire to offer a resolution of inquiry.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator whether he has in his possession the formal notice from the Interstate Commerce Commission that they have suspended the operation of this section?

Mr. HARDING. I have; and it is contained in the resolution which I am about to offer. I send to the desk a resolution, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the resolution will be stated.

The resolution (S. Res. 376) was read, as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignment of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, which order is known as Order No. — of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate that other rules will be more effective and beneficial, the uniform rules as contained in the Railroad Administration's Car Service Section Circular CS 31 (revised) be continued in effect, except that rule 8 as contained in said circular should be amended to read:

"S. Private cars and cars placed for railroad fuel loading in accordance with the decisions of the Interstate Commerce Commission in Railroad Commission of Ohio, et al., against Hocking Valley Railway Co. (12 I. C. C., 398), and Traer against Chicago & Alton Railroad Co., et al. (13 I. C. C., 451), will be designated as "assigned" cars. All other cars will be designated as "unassigned cars." "

Therefore be it

Resolved, That the Interstate Commerce Commission be directed to inform the Senate upon what authority, if any, said order was issued.

Mr. ROBINSON. Mr. President, I do not desire to object to the consideration of the resolution, but I reserve the right to object until I can see it for a moment. I did not understand the first paragraph. It seems to me that there is a feature of the resolution which assumes a discriminatory use of cars prejudicial to the common public welfare. I do not think the Senator ought to ask the Senate to adopt a resolution containing such a whereas without some investigation into it. So far as the inquiry which the Senator desires to have made is concerned, I have no objection to it. If the Senator will strike out the premise in the nature of a whereas stated in his resolution, I shall not object to its present consideration. Otherwise I shall have to ask that it go over in order that I may satisfy myself in regard to it.

Mr. HARDING. Would the Senator object to the resolution if the Senator from Ohio made reply that this question had already been presented to a division of the Interstate Commerce Commission, and the condition stated in the whereas is admitted to exist?

Mr. ROBINSON. I imagine the commission did not admit that it was making these assignments in a manner discriminatory and prejudicial to common public welfare. If it did, the commission ought to be impeached. Unless the Senator will modify his resolution so as to strike out the whereas, I shall object to its present consideration.

The PRESIDING OFFICER. The Chair suggests to the Senator from Ohio that if he would state in his whereas that it is asserted, or alleged, or charged, the objection would be removed.

Mr. ROBINSON. If the Senator will modify his resolution so as to say "alleged to be discriminatory," I shall not object. What I object to is prejudging the controversy.

Mr. HARDING. I will be very glad to have the preamble amended so as to insert after the word "manner" the words "alleged to be discriminatory."

Mr. ROBINSON. Very well; I have no objection to it.

Mr. HARDING. I will be very glad, if the Senator is agreeable, to make that amendment.

Mr. ROBINSON. I shall have no objection to the consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Ohio has modified the preamble as stated. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

PROPOSED PENSION LEGISLATION.

Mr. BRANDEGEE. Mr. President, I desire to make some remarks upon the report of the Committee on Foreign Relations, but I heard the Senator from North Dakota [Mr. McCUMBER] say that he desires to make some observations.

Mr. McCUMBER. The only observation I had to make was that we have bills upon the calendar which probably could be disposed of this afternoon. It is understood that the pending resolution will not be disposed of this afternoon. The chairman of the Committee on Foreign Relations has made a request that it be temporarily laid aside and go over until Monday, with an understanding and an assurance given him by Senators on the other side of the Chamber that we would then agree upon a time for a vote. The time between now and Monday is simply time that is being filled to hold the resolution constantly before the Senate. When Senators on the other side can assure us that they will agree Monday upon a definite time, and the definite time fixed early in the week, at which to vote upon the resolution, I think we should allow the matter to go over and dispose of bills which we have on the calendar, and have had on the calendar since last September. I think the Senator from Connecticut ought to allow us to go on with those bills and dispose of them. One thing is quite certain—that we will get through with the Armenian question. It is not certain that we will get through with the other measures. If we should fail to get through with the Armenian question, all we will have failed to do is to give the President the authority to accept the mandate, and that we will not give him anyway.

The Senator understands as well as I do, if he has given the matter consideration, that the Senate, by a considerable majority, are opposed to granting the mandate. Therefore if it should be delayed, there would be no harm that would follow, whereas there are bills which in the interim ought to be passed. While the Senator from Massachusetts [Mr. LODGE] gave the notice before I gave notice of my intention to bring up the pension bills, I did what I could, as I understood, to clear the deck, so that we could go on with other legislation, allowing the resolution to go over until Monday. I ask the Senator from Connecticut if he has any objection to its going over until Monday?

Mr. BRANDEGEE. Mr. President, I objected to the request of the Senator from Massachusetts for unanimous consent.

Mr. KING. I want to state to the Senator from North Dakota, who has alluded to pension bills, that he has been very courteous in not calling them up before. Perhaps there was no time. I told him there were many items in the bills to which I should object, and I promised to give him a list of the names of those seeking pensions to whom I should particularly object. Owing to the press of business, and the fact that I have been worked so hard, it has been physically impossible for me to do that.

Mr. McCUMBER. I did it because I thought I would facilitate business by so doing.

Mr. KING. I have been unable to do so. I shall not object to taking the bill up, but I want to tell the Senator that I shall ask for a record vote upon quite a number of items.

Mr. McCUMBER. I have appreciated the fact of late that I would be unable to get a list from the Senator, and rather despaired of receiving it, and undoubtedly the Senator had good cause. Therefore I gave notice that I would bring up the bill immediately after we got through with the resolution for to-day, and that is the reason why I am anxious that it may go over until Monday.

Mr. KING. I will say to the Senator that I have just completed the list, and I will be glad to furnish him this evening a list of those I shall particularly object to. The Senator knows that it has been physically impossible for me to do so before with all the work upon us here.

Mr. McCUMBER. In the meantime, if the pension bills go over until Monday, the mandate resolution will be the unfinished business, we will probably consider it all day Monday, and the result will be that we will not get these bills through in time for them to become laws.

Mr. KING. I can assure the Senator that my observations will be very brief, but I do want the Senate to know the character of these claims and I want to take its judgment upon them. As far as I am concerned, I shall not consume more than half an hour in presenting my views upon the various claims. There are over 600 claims. If the Senate wants to support the claims which are contained in this volume [exhibiting], these private pension bills, they are at liberty to do so.

Mr. McCUMBER. If the Senator should require a record vote on 30 or 40 cases, it would take some time to have the votes recorded.

Mr. KING. No; I do not mean that I shall ask a record vote upon the entire number, but probably one out of each group. Probably four record votes will be all that I shall require.

Mr. WADSWORTH. A parliamentary inquiry, Mr. President. The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. WADSWORTH. I desire to ask to what extent and just how is a conference report privileged?

The PRESIDING OFFICER. The Chair understands that the presentation of a conference report is privileged.

Mr. WADSWORTH. The reason why I am asking the question is that the conference report on the Army reorganization bill is ready, the House having acceded to it, and I am exceedingly anxious to get it disposed of. I will present it now, Mr. President.

Mr. BRANDEGEE. I think I will not yield further, Mr. President.

Mr. WADSWORTH. Does the Senator object to my presenting the conference report?

Mr. BRANDEGEE. The Senator has a right to present the report.

ARMY REORGANIZATION—CONFERENCE REPORT.

Mr. WADSWORTH. I submit the report of the committee of conference on the part of the Senate on the bill H. R. 12775, the Army reorganization bill.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment so that it shall read as follows:

"To amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice."

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with the following amendment: In lieu of the matter proposed by the amendment of the Senate insert the following:

"An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice."

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

"CHAPTER I.

"That the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be amended as follows:

"That section 1 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"That the Army of the United States shall consist of the Regular Army, the National Guard while in the service of the United States, and the organized reserves, including the Officers' Reserve Corps and the Enlisted Reserve Corps."

"SEC. 2. That section 2 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 2. Composition of the Regular Army: The Regular Army of the United States shall consist of the Infantry, the Cavalry, the Field Artillery, the Coast Artillery Corps, the Air Service, the Corps of Engineers, the Signal Corps, which shall be designated as the combatant arms or the line of the Army; the General Staff Corps; The Adjutant General's Department; the Inspector General's Department; the Judge Advocate General's Department; the Quartermaster Corps; the Finance Department; the Medical Department; the Ordnance Department; the Chemical Warfare Service; the officers of the Bureau of Insular Affairs; the officers and enlisted men under the jurisdiction of the Militia Bureau; the chaplains; the professors and cadets of the United States Military Academy; the present military storekeeper; detached officers; detached enlisted men; unassigned recruits; the Indian Scouts; the officers and enlisted men of the retired list; and such other officers and enlisted men as are now or may hereafter be provided for. Except in time of war or similar emergency when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000, including the Philippine Scouts."

"SEC. 3. That section 3 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 3. Organization of the Army: The organized peace establishment, including the Regular Army, the National Guard, and the Organized Reserves, shall include all of those divisions and other military organizations necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency declared by Congress. The Army shall at all times be organized, so far as practicable, into brigades, divisions, and Army corps, and whenever the President may deem it expedient, into armies. For purposes of administration, training, and tactical control the continental area of the United States shall be divided on a basis of military population into corps areas. Each corps area shall contain at least one division of the National Guard or Organized Reserves, and such other troops as the President may direct. The President is authorized to group any or all corps areas into Army areas or departments."

"SEC. 3a. The initial organization of the National Guard and the Organized Reserves: In the reorganization of the National Guard and in the initial organization of the Organized Reserves, the names, numbers, and other designations, flags, and records of the divisions and subordinate units thereof that served in the World War between April 6, 1917, and November 11, 1918, shall be preserved as such as far as practicable. Subject to revision and approval by the Secretary of War, the plans and regulations under which the initial organization and territorial distribution of the National Guard and the Organized Reserves shall be made shall be prepared by a committee of the branch or division of the War Department General Staff, hereinafter provided for, which is charged with the preparation of plans for the national defense and for the mobilization of the land forces of the United States. For the purpose of this task said committee shall be composed of members of said branch or division of the General Staff and an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard. Subject to general regulations approved by the Secretary of War, the location and designation of units of the National Guard and of the Organized Reserves entirely comprised within the limits of any State or Territory shall be determined by a board, a majority of whom shall be reserve officers, including reserve officers who hold or have held commissions in the National Guard and recommended for this duty by the governor of the State or Territory concerned."

"SEC. 4. That section 4 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 4. Officers: Officers commissioned to and holding in the Army the office of a general officer shall hereafter be known as general officers of the line. Officers commissioned to and holding in the Army an office other than that of general officer, but to which the rank of a general officer is attached, shall be known as general officers of the staff. There shall be one general, as now authorized by law, until a vacancy occurs in that

office, after which it shall cease to exist. On and after July 1, 1920, there shall be 21 major generals and 46 brigadier generals of the line; 599 colonels; 674 lieutenant colonels; 2,245 majors; 4,490 captains; 4,266 first lieutenants; 2,694 second lieutenants; and also the number of officers of the Medical Department and chaplains, hereinafter provided for, professors as now authorized by law, and the present military storekeeper, who shall hereafter have the rank, pay, and allowances of major; and the numbers herein prescribed shall not be exceeded: *Provided*, That major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line whose names are borne on an eligible list prepared annually by a board of not less than five general officers of the line not below the grade of major general: *Provided further*, That the first board convened after the passage of this act may place upon such eligible list any officer of the line of not less than 22 years' commissioned service.

"Officers of all grades in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Corps of Engineers, and Medical Department; officers above the grade of captain in the Signal Corps, Judge Advocate General's Department, Quartermaster Corps, Ordnance Department, and Chemical Warfare Service, all chaplains and professors, and the military storekeeper shall be permanently commissioned in their respective branches. All officers of the General Staff Corps, Inspector General's Department, Bureau of Insular Affairs, and Militia Bureau shall be obtained by detail from officers of corresponding grades in other branches. Other officers may be either detailed or, with their own consent, be permanently commissioned in the branches to which they are assigned for duty.

"SEC. 4a. Warrant officers: In addition to those authorized for the Army Mine Planter Service there shall be not more than 1,120 warrant officers, including band leaders, who shall hereafter be warrant officers. Appointments shall be made by the Secretary of War from among noncommissioned officers who have had at least 10 years' enlisted service, enlisted men who served as officers of the Army at some time between April 6, 1917, and November 11, 1918, and whose total service in the Army, enlisted and commissioned, amounts to five years; persons serving or who have served as Army field clerks or field clerks, Quartermaster Corps; and, in the case of those who are to be assigned to duty as band leaders, from among persons who served as Army band leaders at some time between April 6, 1917, and November 11, 1918, or enlisted men possessing suitable qualifications. Hereafter no appointments as Army field clerks or field clerks, Quartermaster Corps, shall be made. Warrant officers other than those of the Army Mine Planter Service shall receive base pay of \$1,320 a year and the allowances of a second lieutenant, shall be entitled to longevity pay and to retirement under the same conditions as commissioned officers, and shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants.

"SEC. 4b. Enlisted men: On and after July 1, 1920, the grades of enlisted men shall be such as the President may from time to time direct, with monthly base pay at the rate of \$74 for the first grade, \$53 for the second grade, \$45 for the third grade, \$45 for the fourth grade, \$37 for the fifth grade, \$35 for the sixth grade, and \$30 for the seventh grade. Of the total authorized number of enlisted men those in the first grade shall not exceed 0.6 per cent, those in the second grade 1.8 per cent, those in the third grade 2 per cent, those in the fourth grade 9.5 per cent, those in the fifth grade 9.5 per cent, those in the sixth grade 25 per cent. The temporary increase of pay for enlisted men of the Army authorized by section 4 of the act of Congress approved May 18, 1920, shall be computed upon the base pay provided for in this section and shall apply only to enlisted men of the first five grades. The temporary allowance of rations authorized by section 5 and the transportation privileges authorized by section 12 of the said act shall apply only to enlisted men of the first three grades.

"Existing laws providing for continuous-service pay are repealed to take effect July 1, 1920, and thereafter enlisted men shall receive an increase of 10 per cent of their base pay for each five years of service in the Army, or service which by existing law is held to be the equivalent of Army service, such increase not to exceed 40 per cent.

"Under such regulations as the Secretary of War may prescribe, enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay therefor per month, as follows: First class, \$25; second class, \$20; third class, \$15; fourth class, \$12; fifth class, \$8; sixth class, \$3. Of the total authorized number of enlisted men in the sixth and seventh grades, those rated as specialists of the first class shall not

exceed 0.7 per cent; of the second class, per cent; of the third class, 1.9 per cent; of the fourth class, 4.7 per cent; of the fifth class, 5 per cent; of the sixth class, 15.2 per cent. All laws and parts of laws providing for extra-duty pay for enlisted men are repealed, to take effect July 1, 1920: *Provided*, That nothing in this section shall operate to reduce the pay which any enlisted man is now receiving, during his current enlistment and while he holds his present grade, nor to change the present rate of pay of any enlisted man now on the retired list.

"SEC. 4c. Assignments: Officers and enlisted men shall be assigned to the several branches of the Army as hereafter directed, a suitable proportion of each grade in each branch, but the President may increase or diminish the number of officers or enlisted men assigned to any branch by not more than a total of 15 per cent: *Provided*, That the total number authorized in any grade by this act is not exceeded: *Provided further*, That the number of enlisted men herein authorized for any branch shall include such number of Philippine Scouts as may be organized in that branch: *Provided further*, That no officer shall be transferred from one branch of the service to another under the provisions of this section without his own consent. Except as otherwise herein prescribed, chiefs and assistants to the chiefs of the several branches shall hereafter be appointed by the President, by and with the advice and consent of the Senate, for a period of four years, and such appointments shall not create vacancies. Appointment as chief of any branch shall be made from among officers commissioned in grades not below that of colonel, and as assistant from among officers of not less than 15 years' commissioned service, who have demonstrated by actual and extended service in such branch or on similar duty that they are qualified for such appointment: *Provided*, That the chiefs of the several branches shall make recommendations to the Secretary of War for the appointment of their assistants: *Provided further*, That in making the first appointment to any such office created by this act the chief of a branch may be selected from among officers of not less than 22 years' commissioned service. Any officer who shall have served four years as chief of a branch and who may subsequently be retired shall be retired with the rank, pay, and allowances authorized by law for the grade held by him as such chief. In time of peace no officer of the line shall be or remain detailed as a member of the General Staff Corps unless he has served for two of the next preceding six years in actual command of troops of one or more of the combatant arms; and in time of peace every officer serving in a grade below that of brigadier general shall perform duty with troops of one or more of the combatant arms for at least one year in every period of five consecutive years, except that officers of less than one year's commissioned service in the Regular Army may be detailed as students at service schools: *Provided*, That an officer commissioned in a staff corps shall not be or remain detailed as a member of the General Staff Corps unless he has served for one of the next preceding five years with troops of one or more of the combatant arms. In the administration of this provision all duty performed between April 6, 1917, and July 1, 1920, inclusive, or as a student at service schools other than those of the noncombatant branches, at any time, shall be regarded as satisfying the requirements of service with combatant arms. Existing laws in so far as they restrict the detail or assignment of officers are hereby repealed. The Secretary of War shall annually report to Congress the numbers, grades, and assignments of the officers and enlisted men of the Army, and the number, kinds, and strength of organizations pertaining to each branch of the service."

"SEC. 5. That section 5 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 5. General Staff Corps: The General Staff Corps shall consist of the Chief of Staff, the War Department General Staff and the general staff with troops. The War Department General Staff shall consist of the Chief of Staff and four assistants to the Chief of Staff selected by the President from the general officers of the line, and 88 other officers of grades not below that of captain. The general staff with troops shall consist of such number of officers not below the grade of captain as may be necessary to perform the General Staff duties of the headquarters of territorial departments, armies, Army corps, divisions, and brigades, and as military attachés abroad. In time of peace the detail of an officer as a member of the General Staff Corps shall be for a period of four years, unless sooner relieved, and such details shall be limited to officers whose names are borne on the list of General Staff Corps eligibles. The initial eligible list shall be prepared by a board consisting of the General of the Army, the commandant of the General Staff College, the commandant of the general service schools, and two other general officers of the line, selected by the Secretary

of War, who are not then members of the General Staff Corps. This board shall select and report the names of all officers of the Regular Army, National Guard, and Officers' Reserve Corps of the following classes who are recommended by them as qualified by education, military experience, and character for General Staff duty;

"(a) Those officers graduated from the Army Staff College or the Army War College prior to July 1, 1917, who, upon graduation were specifically recommended for duty as commander or chief of staff of a division or higher tactical unit, or for detail in the General Staff Corps;

"(b) Those officers who, since April 6, 1917, have commanded a division or higher tactical unit, or have demonstrated by actual service in the World War that they are qualified for General Staff duty.

"After the completion of the initial General Staff Corps eligible list, the name of no officer shall be added thereto unless upon graduation from the General Staff School he is specifically recommended as qualified for General Staff duty, and hereafter no officer of the General Staff Corps except the Chief of Staff shall be assigned as a member of the War Department General Staff unless he is a graduate of the General Staff College or his name is borne on the initial eligible list. The Secretary of War shall publish annually the list of officers eligible for General Staff duty, and such eligibility shall be noted in the annual Army Register. If at any time the number of officers available and eligible for detail to the General Staff is not sufficient to fill all vacancies therein, majors or captains may be detailed as acting General Staff officers under such regulations as the President may prescribe: *Provided*, That in order to insure intelligent cooperation between the General Staff and the several noncombatant branches officers of such branches may be detailed as additional members of the General Staff Corps under such special regulations as to eligibility and redetail as may be prescribed by the President; but not more than two officers from each such branch shall be detailed as members of the War Department General Staff.

"The duties of the War Department General Staff shall be to prepare plans for national defense and the use of the military forces for that purpose, both separately and in conjunction with the naval forces, and for the mobilization of the manhood of the Nation and its material resources in an emergency, to investigate and report upon all questions affecting the efficiency of the Army of the United States and its state of preparation for military operations, and to render professional aid and assistance to the Secretary of War and the Chief of Staff.

"All policies and regulations affecting the organization, distribution, and training of the National Guard and the Organized Reserves, and all policies and regulations affecting the appointment, assignment, promotion, and discharge of reserve officers shall be prepared by committees of appropriate branches or divisions of the War Department General Staff, to which shall be added an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard, and whose names are borne on lists of officers suitable for such duty submitted by the governors of the several States and Territories. For the purposes specified herein they shall be regarded as additional members of the General Staff while so serving: *Provided*, That prior to January 1, 1921, National Guard officers who do not hold reserve commissions, if recommended by the governors of the several States and Territories, may be designated by the President as members of the committees herein provided for, and while so serving such officers shall receive the pay and allowances of their corresponding grades in the Regular Army.

"The duties of the General Staff with troops shall be to render professional aid and assistance to the general officers over them; to act as their agents in harmonizing the plans, duties, and operations of the various organizations and services under their jurisdiction; in preparing detailed instructions for the execution of the plans of the commanding generals; and in supervising the execution of such instructions.

"The Chief of Staff shall preside over the War Department General Staff and, under the direction of the President or of the Secretary of War under the direction of the President, shall cause to be made, by the War Department General Staff, the necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army of the United States and for the use of the military forces for national defense. He shall transmit to the Secretary of War the plans and recommendations prepared for that purpose by the War Department General Staff and advise him in regard thereto. Upon the approval of such plans or recommendations by the Secretary of War he shall act as the agent of the Secretary of War in

carrying the same into effect. Whenever any plan or recommendation involving legislation by Congress affecting national defense or the reorganization of the Army is presented by the Secretary of War to Congress, or to one of the committees of Congress, the same shall be accompanied, when not incompatible with the public interest, by a study prepared in the appropriate division of the War Department General Staff, including the comments and recommendations of said division for or against such plan, and such pertinent comments for or against the plan as may be made by the Secretary of War, the Chief of Staff, or individual officers of the division of the War Department General Staff in which the plan was prepared.

"Hereafter members of the General Staff Corps shall be confined strictly to the discharge of duties of the general nature of those specified for them in this section and in the act of Congress approved February 14, 1903, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices or would cause injurious or unnecessary duplication of or delay in the work thereof.

"Sec. 5a. Hereafter, in addition to such other duties as may be assigned him by the Secretary of War, the Assistant Secretary of War, under the direction of the Secretary of War, shall be charged with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs. The Assistant Secretary of War shall receive a salary of \$10,000 per annum. There shall be detailed to the office of the Assistant Secretary of War from the branches engaged in procurement such number of officers and civilian employees as may be authorized by regulations approved by the Secretary of War. The offices of Second Assistant Secretary of War and Third Assistant Secretary of War are hereby abolished.

"Under the direction of the Secretary of War chiefs of branches of the Army charged with the procurement of supplies for the Army shall report direct to the Assistant Secretary of War regarding all matters of procurement. He shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or Government-owned factories are capable of manufacturing or producing upon an economical basis. And all appropriations for manufacture of matériel pertaining to approved projects which are placed with arsenals or Government-owned factories or other ordnance establishments shall remain available for such purpose until the close of the next ensuing fiscal year.

"Sec. 5b. The war council: The Secretary of War, the Assistant Secretary of War, the General of the Army, and the Chief of Staff shall constitute the war council of the War Department, which council shall from time to time meet and consider policies affecting both the military and munitions problems of the War Department. Such questions shall be presented to the Secretary of War in the war council and his decision with reference to such questions of policy, after consideration of the recommendations thereon by the several members of the war council, shall constitute the policy of the War Department with reference thereto.

"Sec. 6. That section 6 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 6. Adjutant General's Department: The Adjutant General's Department shall consist of The Adjutant General with the rank of major general, 1 assistant with the rank of brigadier general, who shall be Chief of the Personnel Bureau, and 115 officers in grades from colonel to captain, inclusive. The Personnel Bureau shall be charged, under such regulations as may be prescribed by the Secretary of War, with the operating functions of procurement, assignment, promotion, transfer, retirement, and discharge of all officers and enlisted men of the Army: *Provided*, That territorial commanders and the chiefs of the several branches of the Army shall be charged with such of the above-described duties within their respective jurisdictions as may be prescribed by the Secretary of War.

"Sec. 7. That section 7 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 7. Inspector General's Department: The Inspector General's Department shall consist of 1 Inspector General with the rank of major general and 61 officers in grades from colonel to captain, inclusive."

"Sec. 8. That section 8 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 8. Judge Advocate General's Department: The Judge Advocate General's Department shall consist of 1 Judge Advocate General with the rank of major general, and 114 officers in grades from colonel to captain, inclusive: *Provided*, That immediately upon the passage of this act the number of colonels of the Judge Advocate General's Department shall be increased by 5, and the vacancies thus created shall be filled by promotion in the manner heretofore provided by law."

"Sec. 9. That section 9 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 9. Quartermaster Corps: The Quartermaster Corps shall consist of 1 Quartermaster General with the rank of major general, 3 assistants with the rank of brigadier general, 1,050 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men. The Quartermaster General, under the authority of the Secretary of War, shall be charged with the purchase and procurement for the Army of all supplies of standard manufacture and of all supplies common to two or more branches but not with the purchase or the procurement of special or technical articles to be used or issued exclusively by other supply departments; with the direction of all work pertaining to the construction, maintenance, and repair of buildings, structures, and utilities other than fortifications connected with the Army; with the storage and issue of supplies; with the operation of utilities; with the acquisition of all real estate and the issue of licenses in connection with Government reservations; with the transportation of the Army by land and water, including the transportation of troops and supplies by mechanical or animal means; with the furnishing of means of transportation of all classes and kinds required by the Army; and with such other duties not otherwise assigned by law as the Secretary of War may prescribe: *Provided*, That special and technical articles used

or issued exclusively by other branches of the service may be purchased or procured with the approval of the Assistant Secretary of War by the branches using or issuing such articles, and the chief of each branch may be charged with the storage and issue of property pertaining thereto: *Provided further*, That utilities pertaining exclusively to any branch of the Army may be operated by such branches.

"Sec. 9a. Finance department: There is hereby created a finance department. The finance department shall consist of 1 chief of finance with the rank of brigadier general, 141 officers in grades from colonel to second lieutenant, inclusive, and 900 enlisted men.

"The chief of finance, under the authority of the Secretary, shall be charged with the disbursement of all funds of the War Department, including the pay of the Army and the mileage for officers and the accounting therefor, and with such other fiscal and accounting duties as may be required by law or assigned to him by the Secretary of War: *Provided*, That under such regulations as may be prescribed by the Secretary of War officers of the finance department accountable for public moneys may intrust moneys to other officers for the purpose of having them make disbursements as their agents, and the officer to whom the moneys are intrusted, as well as the officer who intrusts the moneys to him, shall be held pecuniarily responsible therefor to the United States."

"Sec. 10. That section 10 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 10. Medical Department: The Medical Department shall consist of one Surgeon General with the rank of major general, two assistants with the rank of brigadier general, the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Administrative Corps, a number of enlisted men which until June 30, 1921, shall not exceed 5 per cent of the authorized enlisted strength and thereafter 5 per cent of the actual strength, commissioned and enlisted, of the Regular Army, the Army Nurse Corps as now constituted by law, and such contract surgeons as are now authorized by law. The number of officers of the Medical Corps shall be 64 for every 1,000, and of the Medical Administrative Corps, 1 for every 2,000, of the total enlisted strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Dental Corps shall be 1 for every 1,000 of the total strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Veterinary Corps shall be 175.

"Hereafter an officer of the Medical or Dental Corps shall be promoted to the grade of captain after 3 years' service, to the grade of major after 12 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Veterinary Corps shall be promoted to the grade of first lieutenant after 3 years' service, to the grade of captain after 7 years' service, to the grade of major after 14 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Medical Administrative Corps shall be promoted to the grade of first lieutenant after 5 years' service, and to the grade of captain after 10 years' service. For purposes of promotion there shall be credited to officers of the Medical Department all active commissioned service in the Regular Army whenever rendered; and also all such service rendered since April 6, 1917, in the Army or in the National Guard when in active service under a call by the President, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission. To officers of the Dental Corps shall be credited their service as contract dental surgeons and acting dental surgeons, and to officers of the Veterinary Corps, their governmental veterinary service rendered prior to June 3, 1916. The length of service of any officer who shall have lost files by reason of sentence of court-martial or failure in examination for promotion shall be regarded as diminished to the equivalent of the service of the officer of his corps immediately preceding him in relative rank.

"Of the vacancies in the Medical Department existing on July 1, 1920, such number as the President may direct shall be filled by the appointment on that date in any grade authorized by this section, of persons under the age of 58 years, other than officers of the Regular Army, who served as officers of the Army at some time between April 6, 1917, and the date of the passage of this act, the selection to be made by the board of general officers provided for in section 24, and subject to the restrictions as to age therein prescribed. Appointees in the Medical Administrative Corps must also have had at least five years' enlisted service in the Medical Department, and the number appointed in the grades of captain and first lieutenant under the provisions of this paragraph shall not exceed one-half of the whole number authorized for said corps. For purposes of future promotion, any person so appointed in the Medical or Dental Corps shall be considered as having had, on the date of appointment, service equal to that of the junior officer of his grade and corps now in the Regular Army; and in the Veterinary or Medical Administrative Corps, sufficient service to bring him to his grade under the rules established in this section.

"Hereafter the members of the Army Nurse Corps shall have relative rank as follows: The superintendent shall have the relative rank of major; the assistant superintendents, director and assistant directors, the relative rank of captain; chief nurses, the relative rank of first lieutenant; head nurses and nurses, the relative rank of second lieutenant; and as regards medical and sanitary matters and all other work within the line of their professional duties shall have authority in and about military hospitals next after the officers of the Medical Department. The Secretary of War shall make the necessary regulations prescribing the rights and privileges conferred by such relative rank."

"Sec. 11. That section 11 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 11. Corps of Engineers: The Corps of Engineers shall consist of one Chief of Engineers with the rank of major general, one assistant with the rank of brigadier general, 600 officers in grades from colonel to second lieutenant, inclusive, and 12,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe."

"Sec. 12. That section 12 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 12. Ordnance Department: The Ordnance Department shall consist of one Chief of Ordnance with the rank of major general, two assistants with the rank of brigadier general, 350 officers in grades from colonel to second lieutenant, inclusive, and 4,500 enlisted men.

"Sec. 12a. Chemical Warfare Service: There is hereby created a Chemical Warfare Service. The Chemical Warfare Service shall consist of one Chief of the Chemical Warfare Service with the rank of brigadier general, 100 officers in grades from colonel to second lieutenant, inclusive, and 1,200 enlisted men. The Chief of the Chemical Warfare Service under the

authority of the Secretary of War shall be charged with the investigation, development, manufacture, or procurement and supply to the Army of all smoke and incendiary materials, all toxic gases, and all gas defense appliances; the research, design, and experimentation connected with chemical warfare and its material; and chemical projectile filling plants and proving grounds; the supervision of the training of the Army in chemical warfare, both offensive and defensive, including the necessary schools of instruction; the organization, equipment, training, and operation of special gas troops, and such other duties as the President may from time to time prescribe.

"Sec. 13. That section 13 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 13. Signal Corps: The Signal Corps shall consist of one Chief Signal Officer with the rank of major general, 300 officers in grades from colonel to second lieutenant, inclusive, and 5,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe.

"There is hereby created an Air Service.

"Sec. 13a. Air Service: The Air Service shall consist of 1 Chief of the Air Service with the rank of major general, 1 assistant with the rank of brigadier general, 1,514 officers in grades from colonel to second lieutenant, inclusive, and 16,000 enlisted men, including not to exceed 2,500 flying cadets, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe: *Provided*, That not to exceed 10 per cent of the officers in each grade below that of brigadier general who fail to qualify as aircraft pilots or as observers within one year after the date of detail or assignment shall be permitted to remain detailed or assigned to the Air Service. Flying units shall in all cases be commanded by flying officers. Officers and enlisted men of the Army shall receive an increase of 50 per cent of their pay while on duty requiring them to participate regularly and frequently in aerial flights; and hereafter no person shall receive additional pay for aviation duty except as prescribed in this section: *Provided*, That nothing in this act shall be construed as amending existing provisions of law relating to flying cadets."

"Sec. 14. That section 14 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 14. Bureau of Insular Affairs: The officers of the Bureau of Insular Affairs shall be one chief of the bureau with the rank of brigadier general, and two officers below the grade of brigadier general: *Provided*, That during the tenure of office of the present Chief of the Bureau of Insular Affairs he shall have the rank of major general."

"Sec. 15. That section 15 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 15. Chaplains: There shall be one chaplain for every twelve hundred officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts and the unassigned recruits, authorized from time to time in accordance with law and within the peace strength permitted by this act. Chaplains shall hereafter have rank, pay, and allowances according to length of active commissioned service in the Army, or, since April 6, 1917, in the National Guard while in active service under a call by the President, as follows: Less than 5 years, first lieutenant; 5 to 14 years, captain; 14 to 20 years, major; over 20 years, lieutenant colonel. One chaplain, of rank not below that of major may be appointed by the President, by and with the advice and consent of the Senate, to be chief of chaplains. He shall serve as such for four years, and shall have the rank, pay and allowances of colonel while so serving. His duties shall include investigation into the qualifications of candidates for appointment as chaplain, and general coordination and supervision of the work of chaplains. Of the vacancies existing on July 1, 1920, such number as the President may direct shall be filled by appointment on that date of persons under the age of 58 years, other than chaplains of the Regular Army, who served as chaplains in the Army at some time between April 6, 1917, and the date of the passage of this act. Such appointments may be made in grades above the lowest under the same restrictions as to age and rank as are hereinafter prescribed for original appointments in other branches of the service, and in accordance with the recommendation of the board of officers provided for in section 24. For purposes of future promotion, persons so appointed shall be considered as having had, on the date of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section."

"Sec. 16. That said act be, and the same is hereby, amended by striking out section 16.

"Sec. 17. That section 17 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 17. Infantry: The Infantry shall consist of one chief of Infantry with the rank of major general, 4,200 officers in grades from colonel to second lieutenant, inclusive, and 110,000 enlisted men, organized into such Infantry units as the President may direct. Hereafter all tank units shall form a part of the Infantry."

"Sec. 18. That section 18 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 18. Cavalry: The Cavalry shall consist of one chief of Cavalry with the rank of major general, 950 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men, organized into Cavalry units as the President may direct."

"Sec. 19. That section 19 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 19. Field Artillery: The Field Artillery shall consist of one chief of Field Artillery with the rank of major general, 1,900 officers in grades from colonel to second lieutenant, inclusive, and 37,000 enlisted men, organized into Field Artillery units as the President may direct."

"Sec. 20. That section 20 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 20. Coast Artillery Corps: The Coast Artillery Corps shall consist of one chief of Coast Artillery with the rank of major general, 1,200 officers in grades from colonel to second lieutenant, inclusive, the warrant officers of the Army Mine Planter Service as now authorized by law, and 30,000 enlisted men, organized into such Coast Artillery units as the President may direct."

"Sec. 21. That section 21 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 21. Porto Rico Regiment of Infantry: The Porto Rico Regiment of Infantry and the officers and enlisted men of such regiment shall become a part of the Infantry branch herein provided for, and its officers shall, on July 1, 1920, be recommissioned in the Infantry with their present grades and dates of rank, unless promoted on that date in accordance with the provisions of section 24 hereof."

"Sec. 22. That said act be, and the same is hereby, amended by adding after section 22 a new section, to be numbered 22a, and to read as follows:

"Sec. 22a. Philippine Scouts: The President is authorized to form the Philippine Scouts into such branches and tactical units as he may deem expedient, within the limit of strength prescribed by law, organized similarly to those of the Regular Army, the officers to be detailed from those authorized in section 4 hereof. On July 1, 1920, all officers of the Philippine Scouts on the active list, who are citizens of the United States and are found qualified under such regulations as the President may prescribe, shall be recommissioned in some one of the branches provided for by this act, and those not so recommissioned shall continue to serve under their commissions as officers of the Philippine Scouts. No further appointments shall be made as officers of Philippine Scouts except of citizens of the Philippine Islands, who may be appointed in the grade of second lieutenant, under such regulations as the President may prescribe. Officers commissioned in the Philippine Scouts shall be subject to promotion, classification, and elimination, as hereinafter prescribed for officers of the Regular Army. Those now on the retired list shall hereafter receive the same pay as a retired second lieutenant of equal service. Officers of the Philippine Scouts shall hereafter be retired under the same conditions, and those hereafter placed on the retired list shall receive the same retired pay, as other officers of like grades and length of service, and shall be equally eligible for advancement on account of active duty performed since retirement. Nothing in this act shall be construed to alter in any respect the present status of enlisted men of the Philippine Scouts."

"Sec. 23. That section 23 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 23. Provisional appointments: All laws providing that certain appointments of officers shall be provisional for a period of time are hereby repealed."

"Sec. 24. That section 24 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 24. Filling of vacancies: Not less than one-half of the total number of vacancies caused by this act, exclusive of those in the Medical Department and among chaplains, shall be filled by the appointment, to date from July 1, 1920, and subject to such examination as the President may prescribe, of persons other than officers of the Regular Army who served as officers of the United States Army at any time between April 6, 1917, and the date of the passage of this act. A suitable number of such officers shall be appointed in each of the grades below that of brigadier general, according to their qualifications for such grade as may be determined by the board of general officers provided for in this section. No such person above the age of 50 years shall be appointed in a combatant branch, or above the age of 58 in a noncombatant branch. No such person below the age of 48 years shall be appointed in the grade of colonel, or below the age of 45 years in the grade of lieutenant colonel, or below the age of 36 years in the grade of major. Not less than three such persons shall be appointed to the grade of colonel in the Judge Advocate General's Department, and not less than eight to the grade of lieutenant colonel in the Judge Advocate General's Department, provided a sufficient number of applicants for such appointments are legally eligible and are found by the board provided for in this section to be properly qualified. Any person originally appointed under the provisions of this act at an age greater than 45 years shall, when retired, receive retired pay at the rate of 4 per cent of active pay for each complete year of commissioned service in the United States Army, the total to be not more than 75 per cent. Vacancies remaining in grades above the lowest which are not filled by such appointments shall be filled by promotion to date from July 1, 1920, in accordance with the provisions of section 24c hereof. The selection of officers to be appointed under the provisions of this section, under such rules and regulations as may be approved by the Secretary of War, shall be made by a board consisting of the General of the Army, three bureau chiefs, and three general officers of the line, to be appointed by the Secretary of War: *Provided*, That no officer shall be appointed in any branch of the service under the provisions of this section except with the approval of the chief of such branch or officer acting as such.

"SEC. 24a. Promotion list: For the purpose of establishing a more uniform system for the promotion of officers, based on equity, merit, and the interests of the Army as a whole, the Secretary of War shall cause to be prepared a promotion list, on which shall be carried the names of all officers of the Regular Army and Philippine Scouts below the grade of colonel, except officers of the Medical Department, chaplains, professors, the military storekeeper and certain second lieutenants of the Quartermaster Corps hereinafter specified. The names on the list shall be arranged, in general, so that the first name on the list shall be that of the officer having the longest commissioned service; the second name that of the officer having the next longest commissioned service, and so on. In computation for the purpose of determining the position of officers on the promotion list there shall be credited all active commissioned service in the Army performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission; also commissioned service in the National Guard while in active service since April 6, 1917, under a call by the President; and also commissioned service in the Marine Corps when detached for service with the Army by order of the President. In determining position on the promotion list, and relative rank, commissioned service in the Regular Army or the Philippine Scouts, if continuous to the present time, shall be counted as having begun on the date of original commission. The original promotion list shall be formed by a board of officers appointed by the Secretary of War, consisting of one colonel of each of six branches of the service in which officers are permanently commissioned under the terms of this act, and one officer who, as a member of the personnel branch of the General Staff, has made a special study of merging the present promotion lists into a single list. The steps in the formation of the original promotion list shall be as follows:

"First, officers below the grade of colonel in the Corps of Engineers, Signal Corps, Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Porto Rico Regiment, and Philippine Scouts, who were originally appointed in the Regular Army or Philippine Scouts prior to April 6, 1917, shall be arranged without changing the present order of officers on the lineal lists of their own branches, but otherwise as nearly as practicable according to length of commissioned service. The following shall be omitted:

"(a) Officers who, as a result of voluntary transfer, occupy positions on the lineal list other than those they would have

held if their original commissions had been in their present branches;

"(b) Officers of other branches appointed in the Field Artillery or the Coast Artillery Corps to fill vacancies created by the act approved January 25, 1907;

"(c) Officers appointed in the Regular Army since January 1, 1903, while serving as officers of the Porto Rico Provisional Regiment of Infantry or Philippine Scouts;

"(d) Former officers of the Regular Army or Philippine Scouts who have been reappointed in these forces and who are now below normally placed officers of less commissioned service than theirs.

"Officers of classes (a), (b), and (c) shall be placed on the list in the positions they would have occupied if they had remained in their original branches of the service. Officers of class (d) shall be placed on the list in the position that would normally be occupied by an officer of continuous service equal to the total active commissioned service of such officers in the Army.

"Second, officers of the Judge Advocate General's Department, Quartermaster Corps, and Ordnance Department shall be placed on the list according to length of commissioned service, except those second lieutenants of the Quartermaster Corps who are found not qualified for promotion as provided in section 24b hereof.

"Third, captains and lieutenants of the Regular Army and Philippine Scouts, originally appointed since April 6, 1917, shall be arranged among themselves according to commissioned service rendered prior to November 11, 1918, and shall be placed at the foot of the list as prepared to this point.

"Fourth, persons to be appointed as captains or lieutenants under the provisions of section 24, hereof, shall be placed according to commissioned service rendered prior to November 11, 1918, among the officers referred to in the next preceding clause; and where such commissioned service is equal, officers now in the Regular Army shall precede persons to be appointed under the provisions of this act, and the latter shall be arranged according to age.

"Fifth, persons appointed as lieutenant colonels or majors under the provisions of section 24 hereof, shall be placed immediately below all officers of the Regular Army who, on July 1, 1920, are promoted to these grades respectively under the provisions of section 24 hereof: *Provided*, That the board charged with the preparation of the promotion list may in its discretion, assign to any such officer a position on the list higher than that to which he would otherwise be entitled, but not such as to place him above any officer of greater age, whose commissioned service commenced prior to April 6, 1917, and who would precede him on the list under the general provisions of this section.

"Any former officer of the Regular Army and any retired officer who may hereafter be appointed to the active list in the manner provided by law shall be placed on the promotion list in accordance with his total active commissioned service; except that former officers appointed to field grades on July 1, 1920, under the provisions of section 24, may be placed as provided in the next preceding paragraph of this section. A reserve judge advocate appointed in the Regular Army shall be placed as provided in section 24e.

"Other officers on original appointment shall be placed at the foot of the list. The place of any officer on the promotion list once established shall not thereafter be changed, except as the result of the sentence of a court-martial.

"Sec. 24b. Classification of officers: Immediately upon the passage of this act, and in September of 1921 and every year thereafter, the President shall convene a board of not less than five general officers, which shall arrange all officers in two classes, namely: Class A, consisting of officers who should be retained in the service, and Class B, of officers who should not be retained in the service. Until otherwise finally classified all officers shall be regarded as belonging to Class A, and shall be promoted according to the provisions of this act to fill any vacancies which may occur prior to such final classification. No officer shall be finally classified in Class B until he shall have been given an opportunity to appear before a court of inquiry. In such court of inquiry he shall be furnished with a full copy of the official records upon which the proposed classification is based and shall be given an opportunity to present testimony in his own behalf. The record of such court of inquiry shall be forwarded to the final classification board for reconsideration of the case, and after such consideration the finding of said classification board shall be final and not subject to further revision except upon the order of the President. Whenever an officer is placed in Class B a board of not less than three officers shall be convened to determine

whether such classification is due to his neglect, misconduct, or avoidable habits. If the finding is affirmative, he shall be discharged from the Army; if negative, he shall be placed on the unlimited retired list with pay at the rate of 2½ per cent of his active pay multiplied by the number of complete years of commissioned service, or service which under the provisions of this act is counted as its equivalent, unless his total commissioned service or equivalent service shall be less than 10 years, in which case he shall be honorably discharged with one year's pay. The maximum retired pay of an officer retired under the provisions of this section prior to January 1, 1924, shall be 75 per cent of active pay, and of one retired on or after that date, 60 per cent. If an officer is thus retired before the completion of 30 years' commissioned service, he may be employed on such active duty as the Secretary of War considers him capable of performing until he has completed 30 years' commissioned service. The board convened upon the passage of this act shall also report the names of those second lieutenants of the Quartermaster Corps who were commissioned under the provisions of section 9 of the act of June 3, 1916, who are not qualified for further promotion. The officers so reported shall continue in the grade of second lieutenant for the remainder of their service and the others shall be placed upon the promotion list according to their commissioned service, as hereinbefore provided.

"SEC. 24c. Promotion of officers: Up to and including June 30, 1920, except as otherwise provided herein, promotions shall continue to be made in accordance with law existing prior to the passage of this act, and on the basis of the number heretofore authorized for each grade and branch. On and after July 1, 1920, vacancies in grades below that of brigadier general shall be filled by the promotion of officers in the order in which they stand on the promotion list, without regard to the branches in which they are commissioned. Existing laws providing for the examination of officers for promotion are hereby repealed, except those relating to physical examination, which shall continue to be required for promotion to all grades below that of brigadier general, and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps. Officers of said three corps shall be examined in accordance with law governing examination of officers of the Medical Corps, second lieutenants of the Veterinary Corps being subject to the same provisions as first lieutenants.

"SEC. 24d. Transfer of officers: Upon his own application any officer may be transferred to another branch without loss of rank or change of place on the promotion list.

"SEC. 24e. Appointment of officers: Except as otherwise herein provided, appointments shall be made in the grade of second lieutenant, first, from graduates of the United States Military Academy; second, from warrant officers and enlisted men of the Regular Army between the ages of 21 and 30 years, who have had at least two years' service; and, third, from reserve officers, and from officers, warrant officers, and enlisted men of the National Guard, members of the Enlisted Reserve Corps, and graduates of technical institutions approved by the Secretary of War, all between the ages of 21 and 30 years. Any vacancy in the grade of captain in the Judge Advocate General's Department not filled by transfer or detail from another branch may, in the discretion of the President, be filled by appointment from reserve judge advocates between the ages of 30 and 36 years, and such appointee shall be placed upon the promotion list immediately below the junior captain on said list. Appointments in the Medical and Dental Corps shall be made in the grade of first lieutenant from reserve medical and dental officers, respectively, between the ages of 23 and 32 years; in the Veterinary Corps in the grade of second lieutenant from reserve veterinary officers between the ages of 21 and 30 years; and in the Medical Administrative Corps in the grade of second lieutenant from enlisted men of the Medical Department between the ages of 21 and 32 years, who have had at least two years' service. To be eligible for appointment in the Dental Corps, a candidate must be a graduate of a recognized dental college and have been engaged in the practice of his profession for at least two years subsequent to graduation. Appointments as chaplains shall be made from among persons duly accredited by some religious denomination or organization, and of good standing therein, between the ages of 23 and 45 years. Former officers of the Regular Army and retired officers may be reappointed to the active list if found competent for active duty, and shall be commissioned in the grades determined by the places assigned to them on the promotion list under the provisions of section 24a hereof.

"SEC. 25. That section 25 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 25. Detached officers and enlisted men: All officers and enlisted men authorized by law and not assigned to duty with any branch or bureau herein provided for shall be carried on the detached officers' list and detached enlisted men's list, respectively."

"SEC. 26. That said act be, and the same is hereby, amended by striking out section 26.

"SEC. 27. That section 27 of said act be, and the same is hereby amended by striking out all up to and including the third proviso, and also the proviso relating to the utilization of the service of postmasters, and inserting the following in lieu thereof:

"SEC. 27. Enlistments: Hereafter original enlistments in the Regular Army shall be for a period of one or three years at the option of the soldier, and reenlistments shall be for a period of three years. Existing laws providing for the payment of three months' pay to certain soldiers upon reenlistment are hereby repealed, and hereafter an enlistment allowance equal to three times the monthly pay of a soldier of the seventh grade shall be paid to every soldier who enlists or reenlists for a period of three years, payment of the enlistment allowance for original enlistment to be deferred until honorable discharge."

"SEC. 28. That said act be, and the same is hereby amended by striking out section 28, with the exception of the proviso added thereto by Chapter XVII, section 5, of an act of Congress approved July 9, 1918, providing pay for qualification as telegraphers.

"SEC. 29. That section 29 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"SEC. 29. Discharge on account of dependent relatives: When by reason of death or disability of a member of the family of an enlisted man occurring after his enlistment members of his family become dependent upon him for care or support, he may, in the discretion of the Secretary of War, be discharged from the service of the United States."

"SEC. 30. That section 30 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"SEC. 30. The Regular Army Reserve is hereby abolished, and all members thereof shall be discharged from the obligations under which they are now serving."

"SEC. 31. That said act be, and the same is hereby amended by striking out sections 31, 32, 33, 34, 36, 38, and 39.

"SEC. 32. That section 37 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"SEC. 37. Officers' Reserve Corps: For the purpose of providing a reserve of officers available for military service when needed, there shall be organized an Officers' Reserve Corps consisting of general officers, of sections corresponding to the various branches of the Regular Army, and of such additional sections as the President may direct. The grades in each section and the number in each grade shall be as the President may prescribe. Reserve officers shall be appointed and commissioned by the President alone, except general officers, who shall be appointed by and with the advice and consent of the Senate. Appointment in every case shall be for a period of five years, but an appointment in force at the outbreak of war, or made in time of war, shall continue in force until six months after its termination. Any reserve officer may be discharged at any time, in the discretion of the President. A reserve officer appointed during the existence of a state of war shall be entitled to discharge within six months after its termination if he makes application therefor. In time of peace a reserve officer must, at the time of his appointment, be a citizen of the United States or the Philippine Islands, between the ages of 21 and 60 years. Any person who has been an officer of the Army, at any time between April 6, 1917, and June 30, 1919, or an officer of the Regular Army at any time, may be appointed as a reserve officer in the highest grade which he held in the Army or any lower grade; any person now serving as an officer of the National Guard may be appointed as a reserve officer in his present or any lower grade; no other person shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery, or Air Service in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery, and Air Service shall be limited to former officers of the Army, graduates of the Reserve Officers' Training Corps, as provided in section 47b hereof, warrant officers and enlisted men of the Regular Army, National Guard, and enlisted Reserve Corps, and persons who served in the Army at some time between April 6, 1917, and November 11, 1918. Promotions and transfers shall be made under such rules as may be prescribed by the President, and shall be based so far as prac-

licable upon recommendations made in the established chain of command, but no reserve officer shall be promoted to any grade in time of peace until he has held a commission for at least one year in the next lower grade. So far as practicable reserve officers shall be assigned to units in the locality of their places of residence. Nothing in this act shall operate to deprive a reserve officer of the reserve commission he now holds. Any reserve officer may hold a commission in the National Guard without thereby vacating his reserve commission.

"SEC. 37a. Reserve officers on active duty: To the extent provided for from time to time by appropriations for this specific purpose, the President may order reserve officers to active duty at any time and for any period; but except in time of national emergency expressly declared by Congress, no reserve officer shall be employed on active duty for more than 15 days in any calendar year without his own consent. A reserve officer shall not be entitled to pay and allowances except when on active duty. When on active duty he shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay."

"SEC. 33. That said act be, and the same is hereby, amended by striking out sections 40, 41, 42, 43, 45, and 46 and inserting the following in lieu thereof:

"SEC. 40. Reserve Officers' Training Corps—Organization: The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, one or more units in number, which shall consist of a senior division organized at universities and colleges granting degrees, including State universities and those State institutions that are required to provide instruction in military tactics under the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and at those essentially military schools not conferring academic degrees, specially designated by the Secretary of War as qualified, and a junior division organized at all other public and private educational institutions, and each division shall consist of units of the several arms, corps, or services in such number and such strength as the President may prescribe: *Provided*, That no such unit shall be established or maintained at any institution until an officer of the Regular Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students, except that in the case of units other than infantry, cavalry, or artillery, the minimum number shall be 50: *Provided further*, That except at State institutions described in this section, no unit shall be established or maintained in an educational institution until the authorities of the same agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course, when entered upon by any student, shall, as regards such student, be a prerequisite for graduation unless he is relieved of this obligation by regulations to be prescribed by the Secretary of War.

"SEC. 40a. Reserve Officers' Training Corps courses: The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of such corps shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training or to devote at least an average of three hours per week per academic year to such military training, except as provided in section 47c of this act.

"SEC. 40b. Personnel for duty with Reserve Officers' Training Corps: The President is hereby authorized to detail such numbers of officers, warrant officers, and enlisted men of the Regular Army, either active or retired, as may be necessary for duty as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions where one or more units of the Reserve Officers' Training Corps are maintained. In time of peace retired officers, retired warrant officers, or retired enlisted men shall not be detailed under the provisions of this section without their consent, and no officer on the active list shall be detailed for recruiting service or for duty at a school or college, not including schools of the service, where officers on the retired list can be secured who are competent for such duty. Hereafter retired officers below the grade of brigadier general and retired warrant officers and enlisted men shall, when on active duty, receive full pay and allowances."

"SEC. 34. That said act be, and the same is hereby, amended by striking out sections 47, 48, 49, 50, 51, 52, 53, and 54 and inserting the following in lieu thereof:

"SEC. 47. Supplies for Reserve Officers' Training Corps: The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, transportation, arms, ammunition, supplies, tentage, equipment, and uniforms belonging to the United States as he may deem necessary, and to forage at the expense of the United States public animals so issued, to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War, and to authorize such expenditures from proper Army appropriations as he may deem necessary for the efficient maintenance of the Reserve Officers' Training Corps. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, except for uniforms, expendable articles, and supplies expended in operation, maintenance, and instruction, and for its return when required.

"SEC. 47a. Reserve Officers' Training Corps camps: The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a longer period than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit, to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit, or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and to admission to military hospitals at such camps, and to furnish medical attendance and supplies; to use the troops of the Regular Army, and such Government property as he may deem necessary, for the military training of the members of such corps while in attendance at such camps; and to prescribe regulations for the government of such camps.

"SEC. 47b. Appointment of graduates of Reserve Officers' Training Corps as reserve officers: The President alone, under such regulations as he may prescribe, is hereby authorized to appoint as a reserve officer of the Army of the United States any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section 47a of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 47a of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 21 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army of the United States during a period of at least five years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority: *Provided*, That no reserve officer appointed pursuant to this act shall be entitled to retirement, or to retired pay, and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Army pursuant to provisions of this act.

"SEC. 47c. Pay and commutation of subsistence, Reserve Officers' Training Corps: When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for advanced training by the president of the institution and by the professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished at the expense of the United States commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided*, That any medical, dental, or veterinary student may be admitted to a

Medical, Dental, or Veterinary Corps unit of the Reserve Officers' Training Corps for a course of training at the rate of 90 hours of instruction per annum for the four collegiate years, and if at the end of two years of such training he has been selected by the professor of military science and tactics and the head of the institution for advanced training, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided further*, That any reserve officer who is also a medical, dental, or veterinary student may be admitted to such Medical, Dental, or Veterinary Corps unit for such training, under such rules and regulations as the Secretary of War may prescribe: *Provided further*, That members of the Reserve Officers' Training Corps, or other persons authorized by the Secretary of War to attend advanced course camps, shall be paid for attendance at such camps at the rate prescribed for soldiers of the seventh grade of the Regular Army.

"Sec. 47d. Training camps: The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, schools or camps for the military instruction and training, with a view to their appointment as reserve officers or noncommissioned officers, of such warrant officers, enlisted men, and civilians as may be selected upon their own application; to use for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipments, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish at the expense of the United States uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, or in lieu of furnishing such transportation and subsistence to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp, and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and medical attendance and supplies to persons receiving instruction at said camps during the period of their attendance thereat, to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instructions at said camps, for cash and at cost price, plus 10 per cent, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time for the sale. The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the periods during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers, warrant officers, and enlisted men of the Regular Army in such numbers and upon such duties as he may designate."

"Sec. 35. That said act be, and the same is hereby, amended by striking out sections 55 and 56 and inserting the following in lieu thereof:

"Sec. 55. The Enlisted Reserve Corps: The Enlisted Reserve Corps shall consist of persons voluntarily enlisted therein. The period of enlistment shall be three years, except in the case of persons who served in the Army, Navy, or Marine Corps at some time between April 6, 1917, and November 11, 1918, who may be enlisted for one-year periods and who, in time of peace, shall be entitled to discharge within 90 days if they make application therefor. Enlistments shall be limited to persons eligible for enlistment in the Regular Army who have had such military or technical training as may be prescribed by regulations of the Secretary of War. All enlistments in force at the outbreak of war, or entered into during its continuation, whether in the Regular Army or the Enlisted Reserve Corps, shall continue in force until six months after its termination unless sooner terminated by the President.

"Sec. 55a. Organization of the Enlisted Reserve Corps: The President may form any or all members of the Enlisted Reserve Corps into tactical organizations similar to those of the Regular Army, similarly armed, uniformed, and equipped, and composed so far as practicable of men residing in the same locality, may officer them by the assignment of reserve officers or officers of the Regular Army, active or retired, and may detail such personnel of the Army as may be necessary for the administration of such organizations and the care of Government property issued to them.

"Sec. 55b. Reservists on active duty: Members of the Enlisted Reserve Corps may be placed on active duty, as individuals or organizations, in the discretion of the President, but except in time of a national emergency expressly declared by Congress no reservist shall be ordered to active duty in excess of the number permissible under appropriations made for this specific purpose, nor for a longer period than 15 days in any one calendar year without his own consent. While on active duty they shall receive the same pay and allowances as other enlisted men of like grades and length of service.

"Sec. 55c. Military equipment and instructors at other schools and colleges: The Secretary of War is hereby authorized, under such regulations as he may prescribe, to issue such arms, tentage, and equipment as he shall deem necessary for proper military training to schools and colleges, other than those provided for in section 40 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years; and the Secretary of War is hereby authorized to detail such available active or retired officers, warrant officers, and enlisted men of the Regular Army as he may deem necessary to said schools and colleges, other than those provided for in section 40 of this act: *Provided*, That while so detailed they shall receive active pay and allowances: *Provided further*, That in time of peace retired officers, warrant officers, or enlisted men shall not be detailed under the provisions of this section without their consent."

"Sec. 36. That section 60 of said act be, and the same is hereby, amended by adding the following at the end thereof: 'Until July 1, 1921, companies and corresponding units of the National Guard may be recognized at a minimum enlisted strength of 50: *Provided*, That the National Guard of any State, Territory, and the District of Columbia may include such detachments or parts of units as may be necessary in order to form complete tactical units when combined with troops of other States.'

"Sec. 37. That section 69 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 69. Original enlistments in the National Guard shall be for a period of three years and subsequent enlistment for periods of one year each: *Provided*, That persons who have served in the Army for not less than six months, and have been honorably discharged therefrom, may, within two years after the passage of this act, enlist in the National Guard for a period of one year and reenlist for like periods."

"Sec. 38. That section 70 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 70. Men enlisting in the National Guard of the several States, Territories, and the District of Columbia, shall sign an enlistment contract and subscribe to the following oath of enlistment: I do hereby acknowledge to have voluntarily enlisted this — day of —, 19—, as a soldier in the National Guard of the United States and of the State of —, for the period of three (or one) years —, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of —, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of —, and of the officers appointed over me according to law and the Rules and Articles of War."

"Sec. 39. That said act be, and the same is hereby, amended by striking out section 71.

"Sec. 40. That section 72 of said act be, and the same is hereby, amended by striking out the same, and inserting the following in lieu thereof:

"Sec. 72. Discharge of enlisted men from the National Guard: An enlisted man discharged from service in the National Guard, except when drafted into the military service of the United States under the provisions of section 111 of this act, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular

Army, and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the President may prescribe."

"Sec. 41. That section 74 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 74. Qualifications for National Guard officers: Persons hereafter commissioned as officers of the National Guard shall not be recognized as such under any of the provisions of this act unless they shall have been selected from the following classes, and shall have taken and subscribed to the oath of office prescribed in the preceding section of this act; officers or enlisted men of the National Guard; officers, active or retired, reserve officers, and former officers of the Army, Navy, or Marine Corps, enlisted men and former enlisted men of the Army, Navy, or Marine Corps who have received an honorable discharge therefrom; graduates of the United States Military and Naval Academies; and graduates of schools, colleges, universities, and officers' training camps, where they have received military instruction under the supervision of an officer of the Regular Army who certified their fitness for appointment as commissioned officers; and for the technical branches or Staff Corps and departments, such other civilians as may be specially qualified for duty therein."

"Sec. 42. That section 78 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 78. That hereafter men duly qualified under regulations prescribed by the Secretary of War may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oath therein specified: "I do hereby acknowledge to have voluntarily enlisted this ____ day of ____, 19____, as a soldier in the National Guard Reserve of the United States and of the State of ____, for a period of one (or three) year—, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ____, and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the governor of the State of ____, and of the officers appointed over me according to law and the rules and Articles of War": *Provided*, That members of said reserve, officers and enlisted men, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying like grades on the active list of said guard when likewise engaged: *Provided further*, That, except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes."

"Sec. 43. That said act be, and the same is hereby, amended by striking out section 79.

"Sec. 44. That section 81 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 81. Militia Bureau of the War Department: The Militia Division of the War Department shall hereafter be known as the Militia Bureau of the War Department. After January 1, 1921, the Chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of present and former National Guard officers, recommended by the governors of the several States and Territories as suitable for such appointment, who hold commissions in the Officers' Reserve Corps, who have had 10 or more years' commissioned service in the National Guard, at least 5 of which has been in the line, and who have attained at least the grade of major. He shall hold office for four years, unless sooner removed for cause, and shall have the rank, pay and allowances of a major general of the Regular Army during his tenure of office, but shall not be entitled to retirement or retired pay. While serving as chief, his reserve commission shall continue in force, and shall not be terminated except for cause assigned. Until the chief is appointed, as provided in this section, the President may assign an officer of the Regular Army, not below the grade of colonel, to perform the duties of chief. For duty in the Militia Bureau and for the instruction of the National Guard the President shall assign such number of officers and enlisted men of the Regular Army as he may deem necessary. The President may also assign, with their consent, and within the limits of the appropriations previously made for this specific purpose, not exceeding 500 officers of the National Guard, who hold reserve commissions, to duty

with the Regular Army, in addition to those attending service schools; and while so assigned they shall receive the same pay and allowances as Regular Army officers of like grades, to be paid out of the whole fund appropriated for the support of the militia."

"Sec. 45. That section 89 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 89. Animals for National Guard: Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of animals conforming to the Regular Army standards for the training of the National Guard, said animals to remain the property of the United States and to be used solely for military purposes."

"The number of animals so issued shall not exceed 32 for each battery of field artillery or troop of cavalry, and a proportionate number for other mounted organizations, under such regulations as the Secretary of War may prescribe; and the Secretary of War is further authorized to issue, in lieu of purchase, for the training of such organizations, condemned Army animals which are no longer fit for service, but which may be suitable for the purposes of instruction, such animals to be sold as now provided by law when said purposes shall have been served."

"Sec. 46. That section 90 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 90. Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government animals issued to any organization, and for the compensation of competent help for the care of the material, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each organization, shall be duly enlisted therein and shall be detailed by the organization commander, under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia."

"Sec. 47. That section 109 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 109. Pay for the National Guard officers: Captains and lieutenants belonging to organizations of the National Guard shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades as prescribed for the Regular Army for each regular drill or other period of instruction authorized by the Secretary of War, not exceeding five in any one calendar month, at which they shall have been officially present for the entire required period, and at which at least 50 per cent of the commissioned strength and 60 per cent of the enlisted strength attend and participate for not less than one and one-half hours. Captains commanding organizations shall receive \$240 a year in addition to the drill pay herein prescribed. Officers above the grade of captain shall receive not more than \$500 a year, and officers below the grade of major, not belonging to organizations, shall receive not more than four-thirtieths of the monthly base pay of their grades for satisfactory performance of their appropriate duties under such regulations as the Secretary of War may prescribe. Pay under the provisions of this section shall not accrue to any officer during a period when he shall be lawfully entitled to the same pay as an officer of corresponding grade in the Regular Army: *Provided*, That section 9 of an act amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, approved August 31, 1918, shall also apply to the purchase of uniforms, accoutrements, and equipment for cash by officers of the National Guard and National Guard Reserve, whether in State or Federal service, on proper identification and under such rules and regulations as the Secretary of War may prescribe."

"Sec. 48. That section 110 of said act be, and the same is hereby, amended by striking out the first paragraph and inserting the following in lieu thereof:

"Sec. 110. Pay for National Guard enlisted men: Each enlisted man belonging to an organization of the National Guard shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding 8 in any one calendar month, and not exceeding 60 drills in one year: *Provided*, That no enlisted man

shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization: *Provided further*, That the proviso contained in section 92 of this act shall not operate to prevent the payment of enlisted men actually present at any duly ordered drill or other exercise: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War.

"SEC. 49. That section 111 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 111. National Guard when drafted into Federal service: When Congress shall have authorized the use of the armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination, as he may prescribe, draft into the military service of the United States, to serve therein for the period of the war or emergency, unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve. All persons so drafted shall, from the date of their draft, stand discharged from the militia, and shall be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army, whose permanent retention in the military service is not contemplated by law, and shall be organized into units corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. The commissioned officers of said organizations shall be appointed from among the members thereof; officers with rank not above that of colonel to be appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. Officers and enlisted men while in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service. On the termination of the emergency all persons so drafted shall be discharged from the Army, shall resume their membership in the militia, and, if the State so provide, shall continue to serve in the National Guard until the dates upon which their enlistments entered into prior to their draft, would have expired if uninterrupted."

"SEC. 50. That said act be, and the same is hereby, amended by striking out section 114.

"SEC. 51. That said act be, and the same is hereby, amended by inserting after section 127 a new section, to be numbered 127a, and to read as follows:

"SEC. 127a. Miscellaneous provisions: Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein: *Provided*, That in lieu of the 50 per cent increase of pay provided for in this act any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, has heretofore been conferred for having specially distinguished himself in time of war in active operations against the enemy, shall, while on duty which requires him to participate regularly and frequently in aerial flights, continue to have the rank, pay, and allowances and additional pay now provided by the act of June 3, 1916, and the act of July 24, 1917.

"Officers now carried as additional numbers shall be included in the numbers provided for by this act, and, after June 30, 1920, shall no longer be additional, and any officer hereafter appointed, under the provisions of law, to a grade in which no vacancy exists, shall be an additional number in that grade until absorbed, and no longer.

"In time of war retired officers may be employed on active duty in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grades.

"The President is authorized to detail not more than five officers of the Medical Department for duty with the military relief division of the American National Red Cross.

"Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

"In determining relative rank and increase of pay for length of service, and, in the case of officers of the Regular Army, in determining rights of retirement, active duty performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, shall be credited to the same extent as service under a Regular Army commission.

"In time of war any officer of the Regular Army may be appointed to higher temporary rank without vacating his permanent commission, such appointments in grades below that of brigadier general being made by the President alone, but all other appointments of officers in time of war shall be in the Officers' Reserve Corps.

"Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, all officers in the active service of the United States in any grade shall take rank according to date, which, in the case of an officer of the Regular Army, is that stated in his commission or letter of appointment, and, in the case of a reserve officer or an officer of the National Guard called into the service of the United States, shall precede that on which he is placed on active duty by a period equal to the total length of active service which he may have performed in the grade in which called or any higher grade. When dates of rank are the same, precedence shall be determined by length of active commissioned service in the Army. When length of such service is the same, officers of the Regular Army shall take rank among themselves according to their places on the promotion list, preceding reserve and National Guard officers of the same date of rank and length of service, who shall take rank among themselves according to age.

"Hereafter any retired officer who has been or shall be detailed on active duty shall receive the rank, pay, and allowances of the grade, not above that of colonel, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed to active duty since his retirement.

"Retired enlisted men who have served honorably as commissioned officers of the United States Army at some time between April 6, 1917, and November 11, 1918, including those who have been placed on the retired list during the World War, and who have been or may hereafter be discharged from their temporary commissions, shall receive the retired pay and allowances of warrant officers on the retired list, as provided in this act.

"Cadets graduated from the United States Military Academy during the present calendar year shall be commissioned as second lieutenants to date not earlier than July 2, 1920.

"The President is authorized to retain temporarily in service, under their present commissions, such emergency officers as he may deem necessary, but the total number so remaining in service, other than those undergoing treatment for physical reconstruction, shall not at any time exceed the total number of vacancies then existing in the Regular Army. Any such officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920. The President is authorized and directed to retain in service disabled emergency officers until their treatment for physical reconstruction has reached a point where they will not be further benefited by retention in a military hospital or in the military service.

"The Secretary of War is hereby authorized, in his discretion, to detail not to exceed 2 per cent of the commissioned officers of the Regular Army in any fiscal year as students at such technical, professional, and other educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as shall be best suited to enable such officers to acquire a knowledge of or experience in the specialties in which it is deemed necessary that such officers shall perfect themselves. The number of officers so detailed shall, as far as practicable, be distributed proportionately among the various branches: *Provided*, That no expense shall be incurred by the United States in addition to the pay and allowances of the officers so detailed, except for the cost of tuition at such technical, professional, and other educational institutions.

"Whenever, prior to December 31, 1920, any person shall be nominated to the Senate for appointment to fill any office in the Regular Army provided for by this act, the President alone is authorized to appoint such person temporarily in the United States Army in the grade pertaining to such Regular Army

office, to have rank and pay from the same dates as if such appointment were in the Regular Army. Such temporary appointment shall terminate upon acceptance, after confirmation, of the corresponding office in the Regular Army, or on March 4, 1921, if then still unconfirmed. If any officer of the Regular Army is retired while holding a temporary appointment made under the provisions of this paragraph, he shall have the rank of such temporary grade, and his retired pay shall be computed upon the pay of that grade.

"SEC. 52. That all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed.

"CHAPTER II.

"The articles included in this section shall be known as the Articles of War and shall at all times and in all places govern the armies of the United States.

"I. PRELIMINARY PROVISIONS.

"ARTICLE 1. Definitions: The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man;

"(c) The word 'company' shall be understood as including a troop or battery; and

"(d) The word 'battalion' shall be understood as including a squadron.

"ART. 2. Persons subject to military law: The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles: *Provided*, That nothing contained in this act, except as specifically provided in article 2, subparagraph (c), shall be construed to apply to any person under the United States naval jurisdiction unless otherwise specifically provided by law.

"(a) All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks Quartermaster Corps, and soldiers belonging to the Regular Army of the United States; all volunteers, from the dates of their muster or acceptance into the military service of the United States; and all other persons lawfully called, drafted, or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft, or order to obey the same.

"(b) Cadets;

"(c) Officers and soldiers of the Marine Corps when detached for service with the armies of the United States by order of the President: *Provided*, That an officer or soldier of the Marine Corps when so detached may be tried by military court-martial for an offense committed against the laws for the government of the naval service prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases;

"(d) All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

"(e) All persons under sentence adjudged by courts-martial;

"(f) All persons admitted into the Regular Army Soldiers' Home at Washington, D. C.

"II. COURTS-MARTIAL.

"ART. 3. Courts-martial classified: Courts-martial shall be of three kinds, namely:

"First, general courts-martial;

"Second, special courts-martial; and

"Third, summary courts-martial.

"A. Composition.

"ART. 4. Who may serve on courts-martial: All officers in the military service of the United States, and officers of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any person who may lawfully be brought before such courts for trial. When appointing courts-martial the appointing authority shall detail as members thereof those officers of the command who, in his opinion, are best qualified for the duty by reason of age, training, experience, and judicial temperament; and officers having less than two years' service shall not, if it can be avoided without manifest injury to the service, be appointed as members of courts-martial in excess of the minority membership thereof.

"ART. 5. General courts-martial: General courts-martial may consist of any number of officers; not less than five.

"ART. 6. Special courts-martial: Special courts-martial may consist of any number of officers; not less than three.

"ART. 7. Summary courts-martial: A summary court-martial shall consist of one officer.

"B. By whom appointed.

"ART. 8. General courts-martial: The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"The authority appointing a general court-martial shall detail as one of the members thereof a law member, who shall be an officer of the Judge Advocate General's Department, except that when an officer of that department is not available for the purpose the appointing authority shall detail instead an officer of some other branch of the service selected by the appointing authority as specially qualified to perform the duties of law member. The law member, in addition to his duties as a member, shall perform such other duties as the President may by regulations prescribe.

"ART. 9. Special courts-martial: The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 10. Summary courts-martial: The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

"ART. 11. Appointment of trial judge advocates and counsel: For each general or special court-martial the authority appointing the court shall appoint a trial judge advocate and a defense counsel, and for each general court-martial one or more assistant trial judge advocates and one or more assistant defense counsel when necessary: *Provided, however*, That no officer who has acted as member, trial judge advocate, assistant trial judge advocate, defense counsel, or assistant defense counsel in any case shall subsequently act as staff judge advocate to the reviewing or confirming authority upon the same case.

"C. Jurisdiction.

"ART. 12. General courts-martial: General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles, and any other person who by the law of war is subject to trial by military tribunals: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy: *Provided further*, That the officer competent to appoint a general court-martial for the trial of any particular case may, when in his judgment the interest of the service shall so require, cause any case to be tried by a special court-martial notwithstanding the limitations upon the jurisdiction of the special court-martial as to offenses set out in article 13; but the limitations upon jurisdiction as to persons and upon punishing power set out in said article shall be observed.

"ART. 13. Special courts-martial: Special courts-martial shall have power to try any person subject to military law for any crime or offense not capital made punishable by these articles: *Provided*, That the President may, by regulations, except from the jurisdiction of special courts-martial any class of persons subject to military law.

"Special courts-martial shall not have power to adjudge confinement in excess of six months, nor to adjudge forfeiture of more than two-thirds pay per month for a period of not exceeding six months.

"ART. 14. Summary courts-martial: Summary courts-martial shall have power to try any person subject to military law, ex-

cept an officer, a member of the Army Nurse Corps, a warrant officer, an Army field clerk, a field clerk Quartermaster Corps, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a general court-martial: *Provided further*, That the President may, by regulations, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of one month, restriction to limits for more than three months, or forfeiture or detention of more than two-thirds of one month's pay.

"ART. 15. Jurisdiction not exclusive: The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses that by statute or by the law of war may be triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. Officers; how triable: Officers shall be triable only by general and special courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

"D. Procedure.

"ART. 17. Trial judge advocate to prosecute; counsel to defend: The trial judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall have the right to be represented in his defense before the court by counsel of his own selection, civil counsel if he so provides, or military if such counsel be reasonably available, otherwise by the defense counsel duly appointed for the court pursuant to article 11. Should the accused have counsel of his own selection, the defense counsel and assistant defense counsel, if any, of the court, shall, if the accused so desires, act as his associate counsel.

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused or the trial judge advocate for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time. Challenges by the trial judge advocate shall ordinarily be presented and decided before those by the accused are offered. Each side shall be entitled to one peremptory challenge; but the law member of the court shall not be challenged except for cause.

"ART. 19. Oaths: The trial judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority or duly announced by the court, except to the trial judge advocate and assistant trial judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial upon a challenge or upon the findings or sentence, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the trial judge advocate and to each assistant trial judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will faithfully and impartially perform the duties of a trial judge advocate, and will not divulge the findings or sentence of the court to any but the proper authority until they shall be duly disclosed. So help you God.'

"All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

"Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the

following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

"Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 20. Continuances: A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

"ART. 21. Refusal or failure to plead: When an accused arraigned before a court-martial fails or refuses to plead, or answers foreign to the purpose, or after a plea of guilty makes a statement inconsistent with the plea, or when it appears to the court that he entered a plea of guilty imprudently or through lack of understanding of its meaning and effect the court shall proceed to trial and judgment as if he had pleaded not guilty.

"ART. 22. Process to obtain witnesses: Every trial judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

"ART. 23. Refusal to appear or testify: Every person not subject to military law who, being duly subpoenaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than \$500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses: *Provided further*, That every person not subject to military law, who before any court-martial, military tribunal, or military board, or in connection with, or in relation to any proceedings or investigation before it or had under any of the provisions of this act, is guilty of any of the acts made punishable as offenses against public justice by any provision of chapter 6 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States' (vol. 35, United States Statutes at Large, p. 1088), or any amendment thereof, shall be punished as therein provided.

"ART. 24. Compulsory self-incrimination prohibited: No witness before a military court, commission, court of inquiry, or board, or before any officer conducting an investigation, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, or before an officer conducting an investigation, shall be compelled to incriminate himself or to answer any question the answer to which may tend to incriminate him, or to answer any question not material to the issue when such answer might tend to degrade him.

"ART. 25. Depositions—when admissible: A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or District in which the court, commission, or board is ordered to sit, or beyond the distance of 100 miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing:

Provided, That testimony by deposition may be adduced for the defense in capital cases.

"ART. 26. Depositions—before whom taken: Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"ART. 27. Courts of inquiry—records of, when admissible: The record of the proceedings of a court of inquiry may, with the consent of the accused, be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

"ART. 28. Certain acts to constitute desertion: Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

"Any soldier who, without having first received a regular discharge, again enlists in the Army, or in the militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and, where the enlistment is in one of the forces of the United States mentioned above, to have fraudulently enlisted therein.

"Any person subject to military law who quits his organization or place of duty with the intent to avoid hazardous duty or to shirk important service shall be deemed a deserter.

"ART. 29. Court to announce action: Whenever the court has acquitted the accused upon all specifications and charges, the court shall at once announce such result in open court. Under such regulations as the President may prescribe, the findings and sentence in other cases may be similarly announced.

"ART. 30. Closed sessions: Whenever a general or special court-martial shall sit in closed session, the trial judge advocate and the assistant trial judge advocate, if any, shall withdraw; and when their assistance in referring to the recorded evidence is required, it shall be obtained in open court, and in the presence of the accused and of his counsel, if there be any.

"ART. 31. Method of voting: Voting by members of a general or special court-martial upon questions of challenge, on the findings, and on the sentence shall be by secret written ballot. The junior member of the court shall in each case count the votes, which count shall be checked by the president, who will forthwith announce the result of the ballot to the members of the court. The law member of the court, if any, or if there be no law member of the court, then the president, may rule in open court upon interlocutory questions, other than challenges, arising during the proceedings: *Provided*, That unless such ruling be made by the law member of the court if any member object thereto the court shall be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *And provided further*, That if any such ruling be made by the law member of the court upon any interlocutory question other than an objection to the admissibility of evidence offered during the trial, and any member object to the ruling, the court shall likewise be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *Provided further, however*, That the phrase, 'objection to the admissibility of evidence offered during the trial,' as used in the next preceding proviso hereof, shall not be construed to include questions as to the order of the introduction of witnesses or other evidence, nor of the recall of witnesses for further examination, nor as to whether expert witnesses shall be admitted or called upon any question, nor as to whether the court shall view the premises where an offense is alleged to have been committed, nor as to the competency of witnesses, as, for instance, of children, witnesses alleged to be mentally incompetent, and the like, nor as to the insanity of accused, or whether the existence of mental disease or mental derangement on the part of the accused has become an issue in the trial, or accused required to submit to physical examination, nor whether any argument or statement of counsel for the accused or of the trial judge advocate is improper, nor any ruling in a case involving military strategy or tactics or correct military action; but, upon all these questions arising on the trial, if any member object to any ruling of the law member, the court shall be cleared and closed and the question decided by majority vote of the members in the manner aforesaid.

"ART. 32. Contempts: A military tribunal may punish as for contempt any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder: *Provided*, That such punishment shall in no case exceed one month's confinement, or a fine of \$100, or both.

"ART. 33. Records—General courts-martial: Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the trial judge advocate; but in case the record can not be authenticated by the president and trial judge advocate, by reason of the death, disability, or absence of either or both of them, it shall be signed by a member in lieu of the president and by an assistant trial judge advocate, if there be one, in lieu of the trial judge advocate; otherwise by another member of the court.

"ART. 34. Records—Special and summary courts-martial: Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the President may from time to time prescribe.

"ART. 35. Disposition of records—General courts-martial: The trial judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been acted upon, be transmitted to the Judge Advocate General of the Army.

"ART. 36. Disposition of records—Special and summary courts-martial: After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to such general headquarters as the President may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, records of summary courts-martial may be destroyed.

"ART. 37. Irregularities—Effect of: The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *Provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the Executive order prescribing maximum punishments.

"ART. 38. President may prescribe rules: The President may, by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals, which regulations shall, in so far as he shall deem practicable, apply the rules of evidence generally recognized in the trial of criminal cases in the district courts of the United States: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

"E. Limitations upon prosecutions.

"ART. 39. As to time: Except for desertion committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace or for any crime or offense punishable under articles 93 and 94 of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

"ART. 40. As to number: No person shall, without his consent, be tried a second time for the same offense; but no proceeding in which an accused has been found guilty by a court-martial upon any charge or specification shall be held to be a trial in the sense of this article until the reviewing and, if there be one, the confirming authority shall have taken final action upon the case.

"No authority shall return a record of trial to any court-martial for reconsideration of—

"(a) An acquittal; or

"(b) A finding of not guilty of any specification; or

"(c) A finding of not guilty of any charge, unless the record shows a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of war; or

"(d) The sentence originally imposed, with a view to increasing its severity, unless such sentence is less than the mandatory sentence fixed by law for the offense or offenses upon which a conviction has been had.

"And no court-martial, in any proceedings on revision, shall reconsider its finding or sentence in any particular in which a return of the record of trial for such reconsideration is hereinbefore prohibited.

"F. Punishments.

"ART. 41. Cruel and unusual punishments prohibited: Cruel and unusual punishments of every kind, including flogging, branding, marking, or tattooing on the body, are prohibited.

"ART. 42. Places of confinement—When lawful: Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of a court-martial be punished by confinement in a penitentiary unless an act or omission of which he is convicted is recognized as an offense of a civil nature and so punishable by penitentiary confinement for more than one year by some statute of the United States, of general application within the continental United States, excepting section 289, Penal Code of the United States, 1910, or by the law of the District of Columbia, or by way of commutation of a death sentence, and unless, also, the period of confinement authorized and adjudged by such court-martial is more than one year: *Provided*, That when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in a penitentiary, the entire sentence of confinement may be executed in a penitentiary: *Provided further*, That penitentiary confinement hereby authorized may be served in any penitentiary directly or indirectly under the jurisdiction of the United States: *Provided further*, That persons sentenced to dishonorable discharge and to confinement not in a penitentiary shall be confined in the United States Disciplinary Barracks or elsewhere as the Secretary of War or the reviewing authority may direct, but not in a penitentiary.

"ART. 43. Death sentence—When lawful: No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of all the members of said court-martial present at the time the vote is taken, and for an offense in these articles expressly made punishable by death; nor sentenced to life imprisonment, nor to confinement for more than 10 years, except by the concurrence of three-fourths of all of the members present at the time the vote is taken. All other convictions and sentences, whether by general or special court-martial, may be determined by a two-thirds vote of those members present at the time the vote is taken. All other questions shall be determined by a majority vote.

"ART. 44. Cowardice; fraud—Accessory penalty: When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"ART. 45. Maximum limits: Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not exceed such limit or limits as the President may from time to time prescribe: *Provided*, That in time of peace the period of confinement in a penitentiary shall in no case exceed the maximum period prescribed by the law which, under article 42 of these articles, permits confinement in a penitentiary, unless in addition to the offense so punishable under such law the accused shall have been convicted at the same time of one or more other offenses.

"G. Action by appointing or superior authority.

"ART. 46. Action by convening authority: Under such regulations as may be prescribed by the President every record of trial

by general court-martial or military commission received by a reviewing or confirming authority shall be referred by him, before he acts thereon, to his staff judge advocate or to the Judge Advocate General. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 47. Powers incident to power to approve: The power to approve the sentence of a court-martial shall be held to include:

"(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt;

"(b) The power to approve or disapprove the whole or any part of the sentence; and

"(c) The power to remand a case for rehearing, under the provisions of article 50.

"ART. 48. Confirmation—When required: In addition to the approval required by article 46, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely:

"(a) Any sentence respecting a general officer;

"(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division;

"(c) Any sentence extending to the suspension or dismissal of a cadet; and

"(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution, subject to the provisions of article 50, upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division.

"When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.

"ART. 49. Powers incident to power to confirm: The power to confirm the sentence of a court-martial shall be held to include:

"(a) The power to confirm or disapprove a finding, and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt;

"(b) The power to confirm or disapprove the whole or any part of the sentence; and

"(c) The power to remand a case for rehearing, under the provisions of article 50.

"ART. 50. Mitigation of remission of sentences: The power to order the execution of the sentence adjudged by a court-martial shall be held to include, *inter alia*, the power to mitigate or remit the whole or any part of the sentence.

"Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority; but no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority, and no approved sentence of loss of files by an officer shall be remitted or mitigated by any authority inferior to the President, except as provided in the fifty-second article.

"When empowered by the President so to do, the commanding general of the Army in the field or the commanding general of the territorial department or division may approve or confirm and commute (but not approve or confirm without commuting), mitigate, or remit and then order executed as commuted, mitigated, or remitted any sentence which under these articles requires the confirmation of the President before the same may be executed.

"The power of remission or mitigation shall extend to all uncollected forfeitures adjudged by sentence of court-martial.

"ART. 50. Review; rehearing: The Judge Advocate General shall constitute, in his office, a board of review consisting of not less than three officers of the Judge Advocate General's Department.

"Before any record of trial in which there has been adjudged a sentence requiring approval or confirmation by the President under the provisions of article 46, article 48, or article 51 is submitted to the President, such record shall be examined by the board of review. The board shall submit its opinion, in writing, to the Judge Advocate General, who shall, except as herein otherwise provided, transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President.

"Except as herein provided, no authority shall order the execution of any other sentence of a general court-martial involving the penalty of death, dismissal not suspended, dishonorable discharge not suspended, or confinement in a penitentiary, unless and until the board of review shall, with the approval of the Judge Advocate General, have held the record of trial upon which such sentence is based legally sufficient to support the sentence; except that the proper reviewing or confirming authority may upon his approval of a sentence involving dishonorable discharge or confinement in a penitentiary order its execution if it is based solely upon findings of guilty of a charge or charges and a specification or specifications to which the accused has pleaded guilty. When the board of review, with the approval of the Judge Advocate General, holds the record in a case in which the order of execution has been withheld under the provisions of this paragraph legally sufficient to support the findings and sentence, the Judge Advocate General shall so advise the reviewing or confirming authority from whom the record was received, who may thereupon order the execution of the sentence. When in a case in which the order of execution has been withheld under the provisions of this paragraph, the board of review holds the record of trial legally insufficient to support the findings or sentence, either in whole or in part, or that errors of law have been committed injuriously affecting the substantial rights of the accused, and the Judge Advocate General concurs in such holding of the board of review, such findings and sentence shall be vacated in whole or in part in accord with such holding and the recommendations of the Judge Advocate General thereon, and the record shall be transmitted through the proper channels to the convening authority for a rehearing or such other action as may be proper. In the event that the Judge Advocate General shall not concur in the holding of the board of review, the Judge Advocate General shall forward all the papers in the case, including the opinion of the board of review and his own dissent therefrom, directly to the Secretary of War for the action of the President, who may confirm the action of the reviewing authority or confirming authority below, in whole or in part, with or without remission, mitigation, or commutation, or may disapprove, in whole or in part, any finding of guilty, and may disapprove or vacate the sentence, in whole or in part.

"When the President or any reviewing or confirming authority disapproves or vacates a sentence the execution of which has not theretofore been duly ordered, he may authorize or direct a rehearing. Such rehearing shall take place before a court composed of officers not members of the court which first heard the case. Upon such rehearing the accused shall not be tried for any offense of which he was found not guilty by the first court, and no sentence in excess of or more severe than the original sentence shall be enforced unless the sentence be based upon a finding of guilty of an offense not considered upon the merits in the original proceeding: *Provided*, That such rehearing shall be had in all cases where a finding and sentence have been vacated by reason of the action of the board of review approved by the Judge Advocate General holding the record of trial legally insufficient to support the findings or sentence or that errors of law have been committed injuriously affecting the substantial rights of the accused, unless, in accord with such action and the recommendations of the Judge Advocate General thereon, the findings or sentence are approved in part only, or the record is returned for revision, or unless the case is dismissed by order of the reviewing or confirming authority. After any such rehearing had on the order of the President, the record of trial shall, after examination by the board of review, be transmitted by the Judge Advocate General, with the board's opinion and his recommendations, directly to the Secretary of War for the action of the President.

"Every record of trial by general court-martial, examination of which by the board of review is not hereinbefore in this article provided for, shall nevertheless be examined in the Judge Advocate General's Office; and if found legally insufficient to support the findings and sentence, in whole or in part, shall be examined by the board of review, and the board, if it also finds that such record is legally insufficient to support the findings and sentence, in whole or in part, shall, in writing, submit its opinion to the Judge Advocate General, who shall

transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President. In any such case the President may approve, disapprove, or vacate, in whole or in part, any findings of guilty, or confirm, mitigate, commute, remit, or vacate any sentence, in whole or in part, and direct the execution of the sentence as confirmed or modified, and he may restore the accused to all rights affected by the findings and sentence, or part thereof, held to be invalid; and the President's necessary orders to this end shall be binding upon all departments and officers of the Government.

"Whenever necessary, the Judge Advocate General may constitute two or more boards of review in his office, with equal powers and duties.

"Whenever the President deems such action necessary, he may direct the Judge Advocate General to establish a branch of his office, under an Assistant Judge Advocate General, with any distant command, and to establish in such branch office a board of review, or more than one. Such Assistant Judge Advocate General and such board or boards of review shall be empowered to perform for that command, under the general supervision of the Judge Advocate General, the duties which the Judge Advocate General and the board or boards of review in his office would otherwise be required to perform in respect of all cases involving sentences not requiring approval or confirmation by the President.

"ART. 51. Suspension of sentences of dismissal or death: The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known, and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.

"ART. 52. Suspension of sentences: The authority competent to order the execution of the sentence of a court-martial may, at the time of the approval of such sentence, suspend the execution, in whole or in part, of any such sentence as does not extend to death, and may restore the person under sentence to duty during such suspension; and the Secretary of War or the commanding officer holding general court-martial jurisdiction over any such offender, may at any time thereafter, while the sentence is being served, suspend the execution, in whole or in part, of the balance of such sentence and restore the person under sentence to duty during such suspension. A sentence, or any part thereof, which has been so suspended may be remitted, in whole or in part, except in cases of persons confined in the United States Disciplinary Barracks or its branches, by the officer who suspended the same, by his successor in office, or by any officer exercising appropriate court-martial jurisdiction over the command in which the person under sentence may be serving at the time, and, subject to the foregoing exceptions, the same authority may vacate the order of suspension at any time and order the execution of the sentence or the suspended part thereof in so far as the same shall not have been previously remitted, subject to like power of suspension. The death or honorable discharge of a person under a suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

"ART. 53. Execution or remission—Confinement in disciplinary barracks: When a sentence of dishonorable discharge has been suspended until the soldier's release from confinement, the execution or remission of any part of his sentence shall, if the soldier be confined in the United States Disciplinary Barracks, or any branch thereof, be directed by the Secretary of War.

"III. PUNITIVE ARTICLES.

"A. Enlistment; muster; returns.

"ART. 54. Fraudulent enlistment: Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

"ART. 55. Officer making unlawful enlistment: Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"ART. 56. False muster: Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or

soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 57. False returns—omission to render returns: Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunition, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

"B. Desertion; absence without leave.

"ART. 58. Desertion: Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 59. Advising or aiding another to desert: Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 60. Entertaining a deserter: Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

"ART. 61. Absence without leave: Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

"C. Disrespect; insubordination; mutiny.

"ART. 62. Disrespect toward the President, Vice President, Congress, Secretary of War, governors, legislatures: Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

"ART. 63. Disrespect toward superior officer: Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

"ART. 64. Assaulting or willfully disobeying superior officer: Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 65. Insubordinate conduct toward noncommissioned officer: Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a warrant officer or a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a warrant officer or a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

"ART. 66. Mutiny or sedition: Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

"ART. 67. Failure to suppress mutiny or sedition: Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

"ART. 68. Quarrels; frays; disorders: All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks, Quartermaster Corps, and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among

persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer, nurse, band leader, warrant officer, field clerk, or noncommissioned officer, or draws a weapon upon or otherwise threatens or does violence to him, shall be punished as a court-martial may direct.

"D. Arrest; confinement.

"ART. 69. Arrest or confinement: Any person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest as circumstances may require; but when charged with a minor offense only such person shall not ordinarily be placed in confinement. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer or cadet who breaks his arrest or who escapes from confinement, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be punished as a court-martial may direct.

"ART. 70. Charges; action upon: Charges and specifications must be signed by a person subject to military law, and under oath either that he has personal knowledge of, or has investigated, the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

"No charge will be referred for trial until after a thorough and impartial investigation thereof shall have been made. This investigation will include inquiries as to the truth of the matter set forth in said charges, form of charges, and what disposition of the case should be made in the interest of justice and discipline. At such investigation full opportunity shall be given to the accused to cross-examine witnesses against him if they are available and to present anything he may desire in his own behalf either in defense or mitigation, and the investigating officer shall examine available witnesses requested by the accused. If the charges are forwarded after such investigation, they shall be accompanied by a statement of the substance of the testimony taken on both sides.

"Before directing the trial of any charge by general court-martial the appointing authority will refer it to his staff judge advocate for consideration and advice.

"When any person subject to military law is placed in arrest or confinement immediate steps will be taken to try the person accused or to dismiss the charge and release him. Any officer who is responsible for unnecessary delay in investigating or carrying the case to a final conclusion shall be punished as a court-martial may direct. When a person is held for trial by general court-martial the commanding officer will, within eight days after the accused is arrested or confined, if practicable, forward the charges to the officer exercising general court-martial jurisdiction and furnish the accused a copy of such charges. If the same be not practicable he will report to superior authority the reasons for delay. The trial judge advocate will cause to be served upon the accused a copy of the charges upon which trial is to be had, and a failure so to serve such charges will be ground for a continuance unless the trial be had on the charges furnished the accused as hereinbefore provided. In time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

"ART. 71. Refusal to receive and keep prisoners: No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

"ART. 72. Report of prisoners received: Every commander of a guard to whose charge a prisoner is committed shall, within twenty-four hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report, he shall be punished as a court-martial may direct.

"ART. 73. Releasing prisoner without proper authority: Any person subject to military law who, without proper authority,

releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

"ART. 74. Delivery of offenders to civil authorities: When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

"E. War offenses.

"ART. 75. Misbehavior before the enemy: Any officer or soldier who, before the enemy, misbehaves himself, runs away, or shamefully abandons or delivers up or by any misconduct, disobedience, or neglect endangers the safety of any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

"ART. 76. Subordinates compelling commander to surrender: Any person subject to military law who compels or attempts to compel any commander of any garrison, fort, post, camp, guard, or other command, to give it up to the enemy or to abandon it shall be punishable with death or such other punishment as a court-martial may direct.

"ART. 77. Improper use of countersign: Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

"ART. 78. Forcing a safeguard: Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

"ART. 79. Captured property to be secured for public service: All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

"ART. 80. Dealing in captured or abandoned property: Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 81. Relieving, corresponding with, or aiding the enemy: Whosoever relieves or attempts to relieve the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct.

"ART. 82. Spies: Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies

of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

"F. Miscellaneous crimes and offenses.

"ART. 83. Military property—Willful or negligent loss, damage, or wrongful disposition: Any person subject to military law who willfully, or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

"ART. 84. Waste or unlawful disposition of military property issued to soldiers: Any soldier who sells or wrongfully disposes of or willfully or through neglect injures or loses any horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

"ART. 85. Drunk on duty: Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

"ART. 86. Misbehavior of sentinel: Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

"ART. 87. Personal interest in sale of provisions: Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessities of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 88. Intimidation of persons bringing provisions: Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessities to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

"ART. 89. Good order to be maintained and wrongs redressed: All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot, shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article 105, shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

"ART. 90. Provoking speeches or gestures: No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

"ART. 91. Dueling: Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who, having knowledge of a challenge sent or about to be sent, fails to report the fact promptly to the proper authority, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

"ART. 92. Murder—Rape: Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

"ART. 93. Various crimes: Any person subject to military law who commits manslaughter, mayhem, arson, burglary, house-breaking, robbery, larceny, embezzlement, perjury, forgery, sodomy, assault with intent to commit any felony, assault with intent to do bodily harm with a dangerous weapon, instrument,

or other thing, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 94. Frauds against the Government: Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper knowing the same to contain any false or fraudulent statements; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes or procures, or advises the making of, any oath to any fact or to any writing or other paper knowing such oath to be false; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

"Who steals, embezzles, knowingly or willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

"Shall, on conviction thereof, be punished by a fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed; and if any officer, being guilty, while in the military service of the United States, of embezzlement of ration savings, post-exchange, company, or other like funds, or of embezzlement of money or other property intrusted to his charge by an enlisted man or men, receives his discharge, or is dismissed, or is dropped from the rolls, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not been so discharged, dismissed, or dropped from the rolls.

"ART. 95. Conduct unbecoming an officer and gentleman: Any officer or cadet who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

"ART. 96. General article: Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or

summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

"IV. COURTS OF INQUIRY.

"ART. 97. When and by whom ordered: A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired into.

"ART. 98. Composition: A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

"ART. 99. Challenges: Members of a court of inquiry may be challenged by the party whose conduct is to be inquired into, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time. The party whose conduct is being inquired into shall have the right to be represented before the court by counsel of his own selection if such counsel be reasonably available.

"ART. 100. Oath of members and recorders: The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you without partiality, favor, affection, prejudice, or hope of reward. So help you God.' After which the president of the court shall administer to the recorder the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God.'

"In case of affirmation, the closing sentence of adjuration will be omitted.

"ART. 101. Powers; procedure: A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the trial judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into, or his counsel, if any, shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

"ART. 102. Opinion on merits of case: A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

"ART. 103. Record of proceedings; how authenticated: Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

"V. MISCELLANEOUS PROVISIONS.

"ART. 104. Disciplinary powers of commanding officers: Under such regulations as the President may prescribe, the commanding officer of any detachment, company, or higher command may, for minor offenses impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

"The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges for not exceeding one week, extra fatigue for not exceeding one week, restriction to certain specified limits for not exceeding one week, and hard labor without confinement for not exceeding one week, but shall not include forfeiture of pay or confinement under guard; except that in time of war or grave public emergency a commanding officer of the grade of brigadier general or of higher grade may, under the provisions of this article also impose upon an officer of his command below the grade of major a forfeiture of not more than one-half of such officer's monthly pay for one month. A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment.

The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"ART. 105. Injuries to property—Redress of: Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed in such proportion as may be deemed just upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted as determined by the approved findings of the board.

"ART. 106. Arrest of deserters by civil officials: It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States, to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

"ART. 107. Soldiers to make good time lost: Every soldier who in an existing or subsequent enlistment deserts the service of the United States or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of that part of his enlistment period which he is required to serve with his organization before being furloughed to the Army reserve.

"ART. 108. Soldiers—Separation from the service: No enlisted man, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge, signed by a field officer of the regiment or other organization to which the enlisted man belongs or by the commanding officer when no such field officer is present; and no enlisted man shall be discharged from said service before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

"ART. 109. Oath of enlistment: At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, ———, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.' This oath or affirmation may be taken before any officer.

"ART. 110. Certain articles to be read and explained: Articles 1, 2, and 29, 54 to 96, inclusive, and 104 to 109, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

"ART. 111. Copy of record of trial: Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of the trial.

"ART. 112. Effects of deceased persons—Disposition of: In case of the death of any person subject to military law the commanding officer of the place of command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters; and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects, and said summary court shall have authority to collect and receive any debts due decedent's estate by local debtors and to pay the undisputed local creditors of decedent in so far as any money belonging to the deceased which may come into said summary court's possession under this article will permit, taking receipts therefor for file with said court's final report upon its transactions to the War Department; and as soon as practicable after the collection of such effects said summary court shall transmit such effects and any money collected, through the Quartermaster Department, at Government expense, to the widow or legal representative of the deceased, if such be found by said court, or to the son, daughter, father, provided the father has not abandoned the support of his family, mother, brother, sister, or the next of kin in the order named, if such be found by said court, or the beneficiary named in the will of the deceased, if such be found by said court, and said court shall thereupon make to the War Department a full report of its transactions; but if there be none of the persons hereinabove named, or such persons or their addresses are not known to or readily ascertainable by said court, and the said court shall so find, said summary court shall have authority to convert into cash, by public or private sale, not earlier than 30 days after the death of the deceased, all effects of deceased except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposits, any will or other papers of value belonging to the deceased, any sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, together with an inventory of the effects secured by said summary court, and a full account of its transactions, to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of accounts of deceased officers and enlisted men of the Army.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

"ART. 113. Inquests: When at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

"ART. 114. Authority to administer oaths: Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the trial judge advocate or any assistant trial judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

"ART. 115. Appointment of reporters and interpreters: Under such regulations as the Secretary of War may from time to time prescribe, the president of a court-martial or military com-

mission or a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the president of a court-martial or military commission, or court of inquiry, or a summary court, may appoint an interpreter, who shall interpret for the court or commission.

"ART. 116. Powers of assistant trial judge advocate and of assistant defense counsel: An assistant trial judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the trial judge advocate of the court. An assistant defense counsel shall be competent likewise to perform any duty devolved by law, regulation, or the custom of the service upon counsel for the accused.

"ART. 117. Removal of civil suits: When any civil or criminal prosecution is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed in section 33 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit or prosecution in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

"ART. 118. Officers, separation from service: No officer shall be discharged or dismissed from the service except by order of the President or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a general court-martial or investigation thereof; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

"ART. 119. Rank and precedence among Regulars, Militia, and Volunteers: That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade.

"ART. 120. Command when different corps or commands happen to join: When different corps or commands of the military forces of the United States happen to join or do duty together, the officer highest in rank of the line of the Regular Army, Marine Corps, forces drafted or called into the service of the United States, or Volunteers, there on duty, shall, subject to the provisions of the last preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President.

"ART. 121. Complaints of wrongs: Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the general commanding in the locality where the officer against whom the complaint is made is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

"SEC. 2. That the provisions of Chapter II of this act shall take effect and be in force eight months after the approval of this act: *Provided*, That articles 2, 23, and 45 shall take effect immediately.

"SEC. 3. That all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the taking effect of Chapter II of this act, under any law embraced in or modified, changed, or repealed by Chapter II of this act, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this act had not been passed.

"SEC. 4. That section 1342 of the Revised Statutes of the United States be, and the same is hereby, repealed, and all laws

and parts of laws in so far as they are inconsistent with this act are hereby repealed."

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
GEORGE E. CHAMBERLAIN,
C. S. THOMAS,

Managers on the part of the Senate.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
JOHN C. MCKENZIE,
S. H. DENT, Jr.,
W. J. FIELDS,

Managers on the part of the House.

Mr. RANDELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Louisiana?

Mr. BRANDEGEE. I do not yield.

CALLING THE ROLL.

Mr. McCUMBER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

| | | | |
|----------------|--------------|--------------|--------------|
| Brandegée | Jones, Wash. | Overman | Smoot |
| Capper | Kendrick | Page | Thomas |
| Chamberlain | King | Pittman | Trammell |
| Colt | Lenroot | Polindexter | Underwood |
| Curtis | Lodge | Randell | Wadsworth |
| Dial | McCumber | Robinson | Walsh, Mont. |
| France | McKellar | Sheppard | Warren |
| Glass | McNary | Simmons | Watson |
| Henderson | Nelson | Smith, Ariz. | |
| Hitchcock | Norris | Smith, Ga. | |
| Jones, N. Mex. | Nugent | Smith, S. C. | |

Mr. McKELLAR. I wish to announce the absence of the Senator from Ohio [Mr. POMERENE], the Senator from Missouri [Mr. REED], the Senator from Rhode Island [Mr. GERRY], the Senator from Mississippi [Mr. HARRISON], and the Senator from Virginia [Mr. SWANSON] on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

Mr. ROBINSON. Mr. President, I move that the Senate adjourn.

Mr. BRANDEGEE. On that I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. WATSON (when his name was called). I have a pair with the Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

The roll call was concluded.

Mr. SIMMONS (after having voted in the affirmative). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], whom I do not see in the Chamber. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

The result was announced—yeas 8, nays 35, as follows:

| YEAS—8. | | | |
|----------------|--------------|--------------|------------------|
| Dial | King | Robinson | Simmons |
| Kendrick | Overman | Sheppard | Trammell |
| NAYS—35. | | | |
| Borah | Henderson | New | Sterling |
| Brandegée | Jones, Wash. | Norris | Thomas |
| Capper | Lenroot | Nugent | Underwood |
| Chamberlain | Lodge | Page | Wadsworth |
| Colt | McCormick | Pittman | Walsh, Mass. |
| Curtis | McCumber | Smith, Ga. | Walsh, Mont. |
| France | McKellar | Smith, S. C. | Warren |
| Frelinghuysen | McNary | Smoot | Watson |
| Glass | Nelson | Spencer | |
| NOT VOTING—53. | | | |
| Ashurst | Cummins | Fletcher | Harding |
| Ball | Dillingham | Gay | Harris |
| Beckham | Edge | Gerry | Harrison |
| Calder | Elkins | Gore | Hitchcock |
| Comer | Fall | Gronna | Johnson, Calif. |
| Culbertson | Fernald | Hale | Johnson, S. Dak. |

| | | | |
|----------------|------------|--------------|------------|
| Jones, N. Mex. | Moses | Pomerene | Sutherland |
| Kellogg | Myers | Ransdell | Swanson |
| Kenyon | Newberry | Reed | Townsend |
| Keyes | Owen | Sherman | Williams |
| Kirby | Penrose | Shields | Wolcott |
| Knox | Phelan | Smith, Ariz. | |
| La Follette | Phipps | Smith, Md. | |
| McLean | Poindexter | Stanley | |

So the Senate refused to adjourn.

The PRESIDING OFFICER. The Secretary will proceed with the previous roll call by calling the names of the absentees.

The names of the absent Senators were called, and Mr. FEELINGHUYSEN, Mr. McCORMICK, Mr. NEW, Mr. SPENCER, Mr. STERLING, and Mr. WALSH of Massachusetts answered to their names when called.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the orders of the Senate.

Mr. COMER, Mr. WILLIAMS, Mr. SUTHERLAND, and Mr. TOWNSEND entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators having answered to their names, a quorum is present.

ARMENIAN MANDATORY.

Mr. BRANDEGEE. Mr. President, I agree with the Senator from Mississippi [Mr. WILLIAMS] in his statement that the President of the United States and the supreme council representing the associated powers abroad are entitled to an answer to their request that the United States take a mandate over Armenia. The President has considered this matter of sufficient importance to address a special message to Congress, and he has asked Congress to grant to him the power to accept such a mandate.

The Senator from Nebraska [Mr. HITCHCOCK] has read to the Senate a proposed amendment to the resolution reported by the Committee on Foreign Relations, which I do not think is germane at all to the question which was submitted to us by the President. The President has submitted a direct question, "Will you or will you not grant me the power to accept this mandate which I recommend?" It seems to me that courtesy toward a coordinate branch of the Government, as well as to the European powers, demands that we should answer that "yes" or "no" without any encumbering declarations about what we might be willing to do concerning another matter under other circumstances or under present circumstances.

The committee has reported and recommended the passage of the following concurrent resolution:

That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

Mr. President, I wonder if the American people understand what a mandate means or what obligations we should impose upon this Government if we accepted the mandate over Armenia as we are requested to do by foreign powers?

The President makes no attempt to define what he means by our duties as mandatory. There is no definition anywhere, so far as I know, of what constitutes a mandate. Whether there is in international law or not a definition of what in general is a mandate, there is no pretense that anywhere there exists a definition of what our duties would be as mandatory over Armenia in this instance. It seems to me to be a marvelous thing that the President of the United States should recommend to Congress that it should accept for the United States a position practically as guardian over a part of the Ottoman Empire which as yet is not defined.

The President has informed us that he has accepted the position of arbitrator to delimit the boundaries between the Ottoman Empire and Armenia, and that it affords him great pleasure to enter upon that delicate and difficult duty. Now, we are asked to accept a mandate over an undefined, floating piece of more or less—and I think principally less—valuable real estate, inhabited by a great aggregation of people of different attributes, somewhere in the Ottoman Empire, its position to be in the future delimited by the President. No information whatever is given us as to how long we are to occupy that position if we should accept it. It is a piece of territory and some millions of people "wished" upon us by the supreme council sitting in Europe.

Gentlemen stand and asseverate that it is our moral duty to civilization to accept this benefaction. Indeed, the President in his message states:

I know from unmistakable evidences given by responsible representatives of many peoples struggling toward independence and peaceful life again that the Government of the United States is looked to with extraordinary trust and confidence, and I believe that it would do nothing less than arrest the hopeful processes of civilization if we were to refuse the request to become the helpful friends and advisers of such of these people as we may be authoritatively and formally requested to guide and assist.

"To guide and assist" is a duty which he says is incumbent upon us as mandatory. That is the phraseology he uses in his message, without defining what the duties of mandatory are in all respects.

It will be noticed that he thinks it is our duty to accept mandates for many peoples, such peoples "as we may be authoritatively and formally requested to guide and assist." What is meant by an authoritative and formal request? Does it mean that whenever the supreme council, consisting of the prime ministers of Japan, Great Britain, France, and Italy, shall decide they do not want to assume jurisdiction over peoples in the other parts of the world because they would be too troublesome for them to manage, and therefore that it would be desirable that we should act as guardians for them, that it is our duty, when formally and authoritatively requested, to take over the conservatorship of all such struggling peoples?

Mr. President, it is well enough to be altruistic, charitable, and philanthropic with our own money, but this Government was founded for the purpose of managing the people within the United States, and it is not an eleemosynary institution. Mr. Davison wants us to appropriate \$500,000,000 of the taxes taken from the people of this country and hand the amount over to a committee to dispense throughout Europe amongst the needy and oppressed according to their discretion. What constitutional power have we to levy and collect taxes from the entire people of this country, and hand them over to a charity committee to bestow on Europe according to their judgment? In my opinion we have no constitutional power to levy and collect taxes for any such purpose. What constitutional power have we in time of peace to raise, equip, and maintain armies abroad, in Asia, to promote philanthropic projects or to uplift the Armenian or any other European or Asiatic or African peoples? Of course, Congress has authority to equip and maintain armies for the protection of this country; but how can anybody believe that we have authority to impose upon the people of this country taxes with which to raise armies and navies to send abroad to prevent one people from making an incursion upon another, and to keep them there nobody knows how many years?

When would our duties to civilization as mandatory of the Armenians cease? Who is to be the judge of that? Who is to decide what the duties are, whether or not they have been satisfactorily performed, or when they are to determine? Are we to decide those questions? If the Armenians have now, as I understand, organized a republic and desire to govern themselves, by what authority do we walk over there with armies and navies and proceed to govern them? We have not declared war either on Turkey or Armenia. It may be our opinion that the Armenians would be a great deal better off if they had us for a conservator, but perhaps they may have a different view as to that. Why should we go over there and take them if they do not want us to take them? What constitutional power have we to govern them whether they want us to govern them or not?

Mr. President, the Senator from Massachusetts put into the RECORD this morning a statement addressed to our State Department and formulated by Mr. Gerard, who was recently ambassador to Germany, setting forth what would be of substantial aid and assistance to the Armenian people, with whom everybody sympathizes in their troubles. There appeared before several members at least of the Foreign Relations Committee a delegation visiting the members of the committee, consisting of the bishop or archbishop of Erzerum—I suppose his jurisdiction goes over a large part of Armenia—together with the minister or ambassador or whatever his title may be from Armenia and a noted and distinguished Armenian who is a college professor in Yale University, I believe, and they said that they did not want us to be their mandatory. What they wanted was those suggestions made by Mr. Gerard, which were left with the Senator from Massachusetts [Mr. LODGE], put into the RECORD here this morning, and sent to the State Department. They want to be left to work out their own destiny as inhabitants of a free republic which they have set up, which has been recognized by the supreme council, and which has been recognized by our own Government.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nebraska?

Mr. BRANDEGEE. I yield.

Mr. HITCHCOCK. The delegation to which the Senator refers was, however, very urgent in representing to Senators that it would be a disaster for Armenia if the Congress should curiously reject the suggestion of the President of the United States, and thus convey to the enemies of Armenia the impression that the United States had abandoned the Republic and was not disposed to render any assistance. I wish to add that as among the representations made by the delegation referred to by the Senator, because I think that is of importance, and I think that is a matter which should be kept in mind by the Congress in considering what action to take on this question.

Mr. BRANDEGEE. Mr. President, they did not tell me anything like that, but the Senator from Nebraska stated to the committee during the consideration of this matter just what he has stated on the floor. I do not know whether they desire that Congress, in answering the question submitted by the President, should interpolate or insert things similar to what they requested the State Department to do or things embodied in the amendment which the Senator from Nebraska has proposed. It is not a question of curtness, or of brusqueness, or anything of that kind. If we used more words to express our respectful declination of the request of the President which is expressed in the resolution recommended by the committee, I do not think it would have any effect in encouraging the Turks or the enemies of the Armenians any less than the resolution as it stands. The request is put up to Congress in a perfectly frank, straightforward manner, and the resolution reported by the committee is a respectful, courteous reply to it. We have got to say "yes" or "no." If we respectfully say we do not grant the power requested by the President, there is no disrespect to him in that at all; neither could it aid the Turks or any enemy of the Armenians.

If it will do any good to the Armenians, I am perfectly willing to pass another resolution at the same time that we pass this one, which is an answer to the President, to express any sentiments of friendliness, or to consider whether we can do anything toward the creation of a commission, as suggested by the Senator from Nebraska, to raise funds to purchase agricultural implements and supplies to help these people, irrespective of the Government, and without involving the Government in guaranteeing their bonds or in being responsible for them. I am perfectly willing to consider those things, which are separate things.

We are now engaged in officially communicating with the executive branch of the Government; that is all. The executive branch of the Government has sent a message to the Congress and asked us for a grant of power. It is our duty now to answer the Executive, the President of the United States, and it does not seem to me that it is wise or necessary, in answering the President about accepting a mandate, to enter into provisions about what things of a charitable nature the people of the country can do, or what other things, if anything, the Government can do, to aid the people of Armenia.

I think that this resolution reported by the committee as it stands is a perfectly proper answer to the President.

Mr. President, in agreement with the Senator from Mississippi [Mr. WILLIAMS], I think the President ought to be answered, and quickly. Here is the Turkish treaty pending, to which we are not a party. We never declared war upon Turkey nor they upon us. Here is Armenia, one of the *membra disjecta* of the Ottoman Empire, awaiting help. Here is the supreme council of Europe wanting to perfect their treaty and to make arrangements for the government of this Armenian country, and they are awaiting the answer of the President. Here is Congress going to adjourn, or recess for such a period as will be practically an adjournment, a week from to-day. Here are conference reports and appropriation bills and pension bills and a calendar of extremely important matters awaiting solution, and we have six days, probably only five—many of the Republican Members hope to get away from here at midday next Saturday—we have five days in which to anticipate the needs of this Government for the next six months, perhaps, and every minute of our time will be occupied. Under those circumstances I had hoped that the Senators on the other side of the Chamber, and especially the Senator from Nebraska [Mr. HITCHCOCK], who is the ranking Democratic member of the Foreign Relations Committee, could see their way clear to name some time early next week at which we would come to a vote upon this matter.

I think it is all important that some date should be fixed, not desiring at all to limit debate, which I do not think would be very extensive, because I think most of the Senators have made

up their minds about the wisdom of accepting this mandate. The Senator from Nebraska says he is opposed to it, and it is simply a matter of method as to how it shall be declined.

But, Mr. President, this is a concurrent resolution. It is not simply a Senate resolution that we can act upon quickly and thus answer the President. It has to go to the House of Representatives after we have acted on it, and the House is in the same situation that we are as to its business. There is all sorts of pressure upon it to pass different important bills, and its calendar is crowded, and if it should happen to differ with the Senate, even to the changing of a word in our concurrent resolution, that throws the matter into conference, and then there must be a meeting of the conferees, and a conference report which must be acted upon if they can get an agreement.

So I hope that before adjournment this afternoon we can arrive at an agreement for a vote at least in the Senate upon this matter. If we put over until Monday the attempt to arrive at an agreement to vote, there probably will be no debate on it until shortly before the time arrives when we agree to vote. Certainly if we do not agree until Monday we would not agree upon a day earlier than the following day, and that means that we would not vote until Tuesday. We will be within three days of adjournment then, Mr. President.

Before we adjourn, therefore, I am going to make a request for unanimous consent to agree to vote upon this matter not later than 1 o'clock on Tuesday of next week, and I hope we can get that consent.

Mr. TOWNSEND. Mr. President, does that involve the necessity of holding this as the unfinished business to the exclusion of everything else on Monday?

Mr. BRANDEGEE. No, Mr. President. It was stated here by the Senator from Massachusetts [Mr. LODGE] that if he could only get an agreement for a time to vote, he would immediately ask unanimous consent to lay aside this matter temporarily and proceed with the consideration of other business. I should be perfectly willing to agree to that. The Senator from North Dakota [Mr. McCUMBER] intimated that I was prepared to use time to interfere with the passage of some of his pension bills. I need hardly deny that. That is not my purpose. I know that a vote can not be had upon this Armenian mandate without some discussion of it, and so the brief discussion I am devoting to it now I do not believe is wasted, because if it were not made now it would have to be made on Monday or Tuesday. There has to be some discussion of it.

Mr. President, since saying what I have just said, the Senator from Nebraska [Mr. HITCHCOCK] has approached me, and says that he does not think we can get a quorum, which would be necessary, of course, to get a unanimous-consent agreement. We did have a quorum, but I believe under the rule we have to call for a quorum upon a unanimous-consent request.

Mr. ROBINSON. Mr. President—

Mr. BRANDEGEE. I yield.

Mr. ROBINSON. Referring to the last statement made by the Senator from Connecticut, I think the rule which he has in mind does not comprehend a concurrent resolution.

Mr. BRANDEGEE. It may be limited to bills and joint resolutions.

Mr. ROBINSON. That is my recollection.

Mr. BRANDEGEE. I have not the rule before me, but while I am speaking the Chair may have an opportunity to look it up. That is not legislation. It is simply a communication between the legislative and the executive departments.

Mr. SMITH of South Carolina. Mr. President—

The PRESIDING OFFICER. If the Senator from South Carolina will desist a moment, the present occupant of the chair is of the opinion that a roll call is not necessary for unanimous consent in the case of a concurrent resolution under the rule to which reference has been made.

Mr. ROBINSON. Then that obviates that difficulty.

Mr. SMITH of South Carolina. Mr. President—

Mr. BRANDEGEE. I yield.

Mr. SMITH of South Carolina. Let me ask the Senator why, at this stage, we can not have an agreement to lay aside temporarily this concurrent resolution, and on Monday take it up and decide just when we shall have a vote?

Mr. BRANDEGEE. Mr. President, I should almost be tempted to agree to that if Senators would agree that on Monday they would set a date for a final vote. All that has been said here so far is that on Monday certain Senators felt assured that they could get an agreement. Of course, no Senator can speak for his colleagues. In fact, within two minutes after the Senator from Nebraska had expressed that optimistic view, the Senator from New Mexico [Mr. JONES] was on his feet saying that this matter had not been properly considered by the Foreign

Relations Committee, and that it ought to go back there and be considered further.

Mr. SMITH of South Carolina. If the Senator will allow me, if we fail to get a unanimous-consent agreement this afternoon, of course the resolution would go over until Monday, and we would discuss it, and then lay it aside, and on Monday we would make the same effort. I think the temper on this side, as far as I have been able to get it, is that on Monday we very probably could reach an agreement as to a definite time to vote.

Mr. BRANDEGEE. I know that; but it is, just as the Senator says, a mere probability, and if there was no serious objection to fixing on some date, I did not know but that the Senator from Nebraska, who is now here, and who is the one who asked for a little more time, on a further consideration of all the pressure and embarrassment under which we are laboring now, considering the fact that the resolution has to go to the House, and possibly to conference, would view with some favor an attempt to agree upon a time now when we could vote on the resolution. In that case we can lay it aside now and proceed with the pension bills, which the Senator from North Dakota has in charge, or use up the time between now and adjournment in passing other legislation. There are conference reports pending now on the table.

Mr. HITCHCOCK. I would not feel justified in doing that, in view of the absence of a number of Senators. I will say this to the Senator, that on Monday I will be willing to ask unanimous consent for a vote some time Tuesday afternoon. I can not guarantee that everybody will consent, but I will ask for it.

Mr. BRANDEGEE. If the Senator will use his good offices to ask for a vote on Tuesday—

Mr. SMITH of South Carolina. I think the sentiment is along that line, and that is the reason why I made the suggestion I did.

Mr. BRANDEGEE. Very well. I will ask the Senator from New York if he has a conference report he desires to bring up?

Mr. WADSWORTH. Yes, Mr. President, if I have an opportunity I would like to ask unanimous consent to temporarily lay aside the Armenian resolution, in order that the Senate may consider the conference report on the Army reorganization bill.

The PRESIDING OFFICER. Is there any objection to the request made by the Senator from New York?

Mr. BRANDEGEE. I will myself make that request for the Senator from Massachusetts, the chairman of the Committee on Foreign Relations. I believe he suggested taking a recess, but I know he would not object to proceeding with other business if we can do so. I see that the Senator from Massachusetts is here. I did not know he was on the floor. I will say to him that the Senator from New York would like to have unanimous consent to temporarily lay aside the Armenian resolution, leaving it as the unfinished business.

Mr. WADSWORTH. In order to take up the conference report on the Army reorganization bill.

Mr. LODGE. That is perfectly agreeable to me, if it is understood that we shall take a recess when the consideration of the conference report is completed.

Mr. BRANDEGEE. It is my understanding that at the close of the proceedings to-day the Senate will take a recess.

Mr. FRANCE. Mr. President, do I understand it is the desire to take a recess immediately after the consideration of the conference report?

Mr. BRANDEGEE. No; when we finish the business of the day we will take a recess.

Mr. FRANCE. I wish to submit some general observations on the subject of the Armenian question, which will not take very long, but which I wish to submit to the Senate before we take a recess to-day.

Mr. BRANDEGEE. I ask unanimous consent that there be added to the request for unanimous consent made by the Senator from New York that we will take a recess until 11 o'clock Monday when we do recess.

The PRESIDING OFFICER. The Chair suggests that the requests had better be separated. The Chair understands that unanimous consent is asked that when the Senate to-day completes its business it shall take a recess until 11 o'clock Monday. Is there objection? The Chair hears none, and that course will be taken.

The Senator from Massachusetts [Mr. LODGE] now asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and that is agreed to.

ARMY REORGANIZATION—CONFERENCE REPORT.

Mr. WADSWORTH. I now ask unanimous consent that the Senate proceed to the consideration of the conference report on the Army reorganization bill.

There being no objection, the Senate proceeded to consider the disagreeing votes of the two Houses on the amendment of the Senate to the conference report on the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.

Mr. WADSWORTH. Mr. President, I may remind the Senate that there is but one amendment, and the amendment constitutes the entire bill. As it has been entirely printed in the Record in the House proceedings, together with the statement of the managers, it should be clear to every Senator and Member of the House who reads the Record.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

ARMENIAN MANDATORY.

Mr. FRANCE. I understand that the Armenian resolution is now before the Senate?

The PRESIDING OFFICER. The Armenian resolution is now before the Senate.

Mr. FRANCE. Mr. President, I desire to submit some remarks upon the general subject of which this Armenian question is but one particular aspect.

I wish to discuss, as briefly as I may, the question of the veto by the President of the United States of the joint resolution of the junior Senator from Pennsylvania [Mr. Knox], which veto raises questions of such vital importance to the welfare and to the very life of this Nation that it may not with propriety be ignored. This veto by the President is, in my judgment, an unprecedented and improper action, for by denying peace for which the representatives of the people have declared, the President, in effect at least, arrogates to himself, in violation of the Constitution, the power to declare for war.

While I was most heartily in favor of the resolution of peace presented by the junior Senator from Pennsylvania, I would have much preferred the adoption of the resolution which I offered on February 26, 1920, which resolution provided not only for the restoration of peace but for the calling of an international conference with a view to the formation of a concert of all of the nations of the earth for rational and progressive cooperation in the solving of the stupendous world problems which now confront us, for a true and constructive cooperation for the rehabilitation of the world, for the development of its natural resources, for the elevation and ultimate liberation of the backward peoples, for the promotion of general justice and the general welfare of mankind.

Mr. President, I ask that this resolution be printed at this point as part of my remarks.

There being no objection, the joint resolution introduced by Mr. FRANCE February 26, 1920, was ordered to be printed in the Record, as follows:

Joint Resolution (S. J. Res. 163) providing for the reestablishment of peace and the calling of an international conference to institute a concert of nations to advise concerning international cooperation as a substitute for the League of Nations, and for a national referendum.

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the powers with which the United States had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it is most desirable that there shall be a prompt termination of the status of war by the formal legal reestablishment of peace between the United States and Germany; and

Whereas the peace treaty has failed to receive the advice and consent of two-thirds of the Senate; one of the reasons for the negative action being that more than one-third of the Senate hold that the Covenant of the League of Nations incorporated in said treaty, if adopted by the United States, would contravene its fundamental principles as declared in the Declaration of Independence by subjecting the external relations of the United States to the control of a foreign body not recognizing these principles, would violate the Constitution by attempting to change the form of government of the United States without a constitutional amendment, and would ignore and tend to destroy the right of States under the law of nations to defend themselves and to extend civilization in behalf of all civilized nations by means of war when other means are possible; and

Whereas there is a profound unrest throughout the world, due in large part to the failure of the Paris Peace Conference to formulate such plans for peace and for international cooperation for the advancement of justice, liberty, and the general welfare as would commend itself to the great liberal spirit of the age and the new enlightened conscience of mankind; and

Whereas the long-continued underproduction and rapid destruction during the war of the necessities and commodities of life, particularly of food, have resulted in a serious shortage, which makes imperatively necessary an immediate reorganization of all agricul-

tural, industrial, financial, and commercial activities for the maximum production in all countries and for the distribution among the nations by the normal methods of trade and commerce of such food, necessities, and commodities; and

Whereas because of the close community of financial, industrial, and commercial interests of all of the nations of the world, the industrial and financial prostration and paralysis of Germany, Austria, Russia, and other recently belligerent countries of Europe, with the necessarily ensuing unemployment, impoverishment, and starvation of their citizens, with the threatened unrest and revolution in certain of these countries, are impeding the rehabilitation and are menacing the peace of the world and the stability of all government; and

Whereas, therefore, it is desirable to bring about immediately a situation of general peace and to take measures for establishing at the earliest practicable moment a form of international organization, approved by the public sentiment of the people of the United States, to deal with the social and economic problems growing out of the present war, and to bring about as nearly peaceful relations as possible between states by judicious and carefully wrought out measures of international cooperation; and

Whereas those opposing the plan of international organization contained in the Covenant of the League of Nations recognize that it has now become necessary for the United States to cooperate methodically and permanently with the states and countries of the world and to take the lead in establishing a concert of nations to direct such cooperation by considered advice, but have heretofore been confined to an indirect and imperfect expression of their views by means of reservations to the said Covenant proposed in the Senate; and

Whereas the question of the participation of the United States in an international organization is an issue in the approaching presidential election, and it is desirable that the plan of international organization approved by those opposing the League of Nations should be formulated so that the voters, by supporting a candidate for the office of President pledged to one or the other of the two plans, may express the public sentiment concerning the policy to be pursued by the United States respecting international organization: Now, therefore, in order to promote a general pacification, to declare the plan of international organization approved by those opposed to the plan of the League of Nations, and to make provision so that at the next national election a referendum vote may be had determining the public sentiment of the United States concerning the form of international organization which the people approve, be it

Resolved, etc., That the status of war with Germany, declared by the Congress by S. J. Res. 1, on the 5th day of April, 1917, be, and it is hereby, declared to be terminated and the full status of peace be, and it is hereby, declared to be reestablished.

2. That the President be, and he is hereby, authorized and advised to make treaties of peace without annexations or indemnities and of trade and intercourse with the Republic of Germany, all matters of dispute between the two countries to be submitted for arbitration to The Hague tribunal.

3. That, in pursuance of this resolution declaring the reestablishment of peace, all American troops now upon foreign soil shall be immediately returned to the United States.

4. That the President is hereby authorized and directed, by invitations to be sent out by him during the month of May, 1921, to invite the states signatory of or adherent to the Convention for the Pacific Settlement of International Disputes, of July 24, 1899, and their successors, and all other states since recognized or which may be recognized prior to the sending out of the invitations, to send three delegates each, and also two delegates in behalf of each of the colonies, protectorates, and dependencies, respectively, of the various states having colonies, protectorates, or dependencies, to assemble at Washington, on a date in September, 1921, to be fixed in the invitation, to consult concerning the formation of a more perfect general concert and union, the establishment of general justice, the assurance of the general tranquillity, the promotion of the general welfare, and the securing generally of the blessings of liberty to the peoples now living and to their posterity.

5. That the list of said States to be invited shall include the following: Argentine Republic, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hedjaz, Hungary, India, Italy, Japan, Jugo-Slavia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Persia, Peru, Poland, Portugal, Roumania, Russia, Salvador, Serbia, Siam, South Africa, Spain, Sweden, Switzerland, Turkey, Uruguay, and Venezuela.

6. That the invitations shall expressly state that the motive of the United States in issuing them is to initiate and bring about a concert of nations as a substitute for the League of Nations, and shall be expressly with the understandings as herein set forth, namely: There shall be an international conference of the States, composed of three delegates from each of the States, and an assembly of the colonies, protectorates, and dependencies, composed of two delegates from each of the colonies, protectorates, and dependencies, the international conference and the assembly of the colonies, protectorates, and dependencies to sit separately but at the same time. The assembly of the colonies, protectorates, and dependencies shall deliberate exclusively concerning social and economic measures and shall report to the international conference. The international conference and the assembly of the colonies, protectorates, and dependencies shall be the first of a series of periodical conferences and assemblies of similar character, meeting at periods of three years at places determined by the international conferences. The general object of the conferences and assemblies shall be to constitute a concert of the States and countries of the world on the general lines of the International Conference of American States and the Inter-American High Commission, by means of central and national institutions and processes adapted to carry on orderly discussion, deliberation, and judgment concerning matters of common interest, with a view to inducing such peaceful and voluntary action of the States in the common interest as may be useful to bring about international cooperation. All resolutions agreed upon either in the international conference or in the assembly of the colonies, protectorates, and dependencies shall be of an advisory character, and any international or pannonal organs or processes initiated or instituted shall be of a voluntary nature and shall have only advisory powers. The international conferences shall establish and maintain a system of advisory correspondence, with continuation committees sitting in the intervals between the conferences to prepare for the

international conferences and the assemblies of the colonies, protectorates, and dependencies and to carry on the system of correspondence. The more specific objects of the international conference, of the assembly of colonies, protectorates, and dependencies, and of the continuation committees, and the purpose of the correspondence between the States participating shall be—

(a) To consider the common and mutual interests and the social and economic relations of the States and peoples of the world as naturally and necessarily united for mutual aid and benefit and to recommend such projects of uniformity or reciprocity in the action of the States, respectively, as will enable them to cooperate for the general welfare.

(b) To formulate a body of international law based on the security of the fundamental rights of the individual as the prime function of all Governments and for applying as between States the analogies of the laws of partnership and cotenancy, and as between States and their respective colonies, protectorates, and dependencies the analogies of the laws of conservatorship, guardianship, and trusteeship.

(c) To devise methods for the advancement of the peoples of colonies, protectorates, or dependencies from the status of dependence to that of independence and to full participation in the international conferences.

(d) To decide concerning the admission into the international conferences of any communities claiming to be States formed by the division of existing States or by the junction of States or parts of States.

(e) To promote cooperation among the more advanced nations for the improvement and advancement of the backward countries and territories, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste land, for the utilization of natural resources, including water powers, for wise colonization, for the promotion of education, and the spread of civilization throughout the world.

(f) To consider the problems of the congestion of some and the underpopulation of other nations and the unregulated competition between the more populous and industrial countries for the trade and raw products of the less populous agricultural ones.

(g) To study the problem of international finance, credits, and exchange, with a view to the prompt shipment on suitable credits, particularly into Russia, Germany, Austria, China, Africa, and any other agriculturally or industrially undeveloped or prostrated countries, of tools, agricultural implements, seeds, and other materials necessary to production, as well as foodstuffs, necessities, and commodities, for the purpose of encouraging a resumption of production which will be favorable to the rehabilitation of the world.

(h) To localize hostilities between States by cooperative policing of the high seas or otherwise and to take such action in case of such hostilities that the result of any armed conflict between States may be to increase the area within which the rights of the individual are effectively secured and to render more perfect the union of all the States for mutual aid and benefit.

(i) To make further provision for the pacific settlement of international disputes and for the settlement of such disputes according to accepted principles of law and by due process of law; and for this purpose to establish an international supreme court of justice and a system of inferior international courts having jurisdiction of controversies between States in which the parties in interest are citizens of different States, and also of such controversies between States in their own right, as may be susceptible of decision by application of accepted principles of public or private law.

(j) To encourage the establishment, where stable governments do not exist, of constitutional republics or governments of such character as would make for that national stability upon which would be based a permanently peaceful international order, and to promote the institution in each nation of appropriate national agencies of international correspondence and concert and the control by national legislatures of the appointment and instruction of national delegates to the international conferences.

(k) To promote amity and mutual understanding between the oriental and occidental peoples and to proceed with all possible means and speed to conciliate the people of Russia, China, India, Afghanistan, the Central Powers, and Turkey, in order that these nations or countries may not form against the western powers a hostile coalition which might menace the peace of the world.

7. That the functions of the United States as the initiator and host of the international conference and the assembly of the colonies, protectorates, and dependencies shall be in the charge of a committee which shall come into existence in the month of April, 1921, and shall consist of the then Secretary of State as chairman, the then Secretary of the Treasury, the then Secretary of Commerce, two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

The delegation of the United States to the international conference and to the assembly shall be nominated to the President by said organization committee and said nominees when approved by the President shall be appointed by him by and with the advice and consent of the Senate. The said organization committee shall also suggest to the first international conference and to the first assembly a plan for their organization, a program of matters to be considered, a project for regulating the action of the continuation committees and a plan for organizing and regulating the central and national agencies of correspondence and concert; but nothing in the plans, project, or program so suggested shall be inconsistent with the provisions of this resolution.

8. That the general expenses of the international conference and of the assembly shall be borne by the United States, each participating State, however, paying the salaries and expenses of its own delegates and of the delegates in behalf of its colonies, protectorates, and dependencies.

9. That there is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, for the carrying out of the provisions of this resolution the sum of \$500,000.

10. That in case a candidate for the office of President who shall have publicly announced his adherence to the plan of the League of Nations with or without reservations shall be elected at the national election in November, 1920, this act shall expire on March 4, 1921, at noon, and shall thereafter have no force or effect.

11. That the provisions of this resolution shall take effect immediately after its passage and its approval by the President.

—PERILS OF AUTOCRACY.

Mr. FRANCE. Mr. President, the plight of men and of nations becomes pitiable when they abandon high principle for base expediency, when they violate oaths and sacred obliga-

tions solemnly assumed for a shifty opportunism without conscience and without purpose, when they embrace that sinister, detestable, and destructive philosophy that the end justifies the means.

This, sirs, we did during the war when, in contravention of all sound policy and in violation of the explicit words and of the spirit of the Constitution of the United States, we created this un-American, heartless, and cruel autocracy which has become so grave a menace to our liberty and places in peril the very perpetuity of our free institutions, which, indeed, has now become a danger to the peace and progress of the world.

On previous occasions I have plead for the termination in this country of personal, irresponsible, arbitrary, and despotic government; for the return of the Government to the sovereign people; for the restoration of the Republic; for the reestablishment of government by law enacted by the representatives of the people, in strict obedience to the limitations, affirmations, and the mandates of the Constitution of our country.

HE KEPT US OUT OF WAR AND PEACE.

It has been said of the President that "he kept us out of war." In the campaign of 1916, in Maryland, there was worn by the valiant defenders of Woodrow Wilson a campaign button bearing his face and name, and these inspiring words, while a world was in agony, "Safety first." More recently they have been saying, in bitterness and in mockery born of the memory of outrageous wrong, "He has kept us out of peace." Is it true that the President of the United States has kept us out of war and that he has kept us out of peace? If your answer to that question be in the affirmative, such affirmative answer must constitute a damning indictment against all those responsible for the situation. Such an affirmative answer must rise as a wail, a violent lamentation, a piercing cry of protest above the uproar of a disordered world, to warn the American people to what wastes of uncharted seas and to what unknown and uncomputed perils the great Republic now has drifted, because those charged with her safety have failed to steer by the fixed star of her destiny, have departed from the plain path of national duty, have proved incompetent and unworthy of that high and sacred trust placed in their charge.

Bismarck will be remembered by coming centuries as one of the greatest statesmen of his age. He was great, but he was great only because he followed in the footsteps of the great. He beheld the weak, conflicting, belligerent German States and he conceived and created a mighty Empire. But he achieved this work only after he had profoundly studied the great principles of federation enunciated and applied by Washington, by Hamilton, and by the other fathers.

He fashioned that empire in accordance with the same laws that they had invoked when they builded with feeble colonies an invincible nation. The constitution of the German Empire was patterned after the Constitution of the United States. Disregarding the differences growing out of the fact that Bismarck was compelled to deal not with sovereign states only but with the royal sovereigns of sovereign states, we find between the two constitutions few essential differences, perhaps but one vital difference. The Presidency of the German Empire was given to the King of Prussia, who was called the German Emperor, and the powers conferred upon him are substantially the powers conferred upon our President. But for one clause in the German constitution he would have been a president, but by that single clause he became an emperor, a master of peace and war, and it was because of that one single clause, which gave him but a slightly greater power over peace and war than that conferred upon our President, that it was possible for William II to plunge to destruction with that mighty Empire, marvelous creation of Bismarck and of William I, and to curse with all this bloodshed, ruin, and unspeakable agony so many millions of the suffering sons of men. That single clause which placed it within the power of one weak, vain, and obstinate man to bring disaster to a world reads thus:

For a declaration of war in the name of the Empire, the consent of the Bundesrath is required, unless an attack is made upon the Federal territory or its coasts.

That simple clause sounds quite innocent, but because of that clause, which, unlike our own Constitution, fails to lodge the power over peace and war, securely, unconditionally, absolutely, eternally, and under every condition and circumstance with the representatives of the people, the President of Germany, named after much debate and with many misgivings German Emperor, became Emperor of Germany; the President of the German Federation was created a despot, man of most tragic destiny, and bloody war lord of the world.

And yet of Woodrow Wilson now they say, he kept us out of war and he kept us out of peace. And it is true, and in that

awful truth you now must face the fact, that weak, subservient, and undecided Congresses have yielded and delegated the powers intrusted to them by the people, that an Executive has arrogated to himself more and more power until, for the time being, constitutional government and constitutional liberty are here suspended, an autocracy has been created, and it has become possible for Woodrow Wilson I to do in 1920 what William Hohenzollern II did in 1914, when, in violation of the interests of the people and without consultation with their representatives, with whom in every free government must be lodged the absolute power over peace and war, he declared against peace and for war. The veto of the peace resolution is a declaration by the President for war. Are the people of the United States with President Wilson, the Commander in Chief of the Army, in his desire and determination to continue the war against the German people?

Did he keep us out of war? In the wisdom of our fathers it was written into our fundamental law that Congress shall have power to declare war, that when the people through their representatives do so declare, there shall be war, and by the same token when the representatives of the people shall fail to declare war, or do more affirmatively declare against war and for peace, there shall be peace. When the President vetoed the Knox peace resolution he attempted to arrogate to himself the power to prevent peace and the power to declare war. I shall not offer any explanation for this act, but it is true that when in violation of the Constitution you place such huge, swollen, autocratic powers, legislative, executive, and judicial, in the hands of the Chief Executive for the period of a war, considering all the frailties of our nature, you may tempt him beyond all endurance, and bribe him who loves power, with so fabulous a price paid in power, to prolong the state of war. If you contend that it was constitutional, as it was not, to confer such powers, and if you contend it constitutional, which it is not, for him to place a presidential veto upon the declaration of the people's representatives in favor of the reestablishment of peace, you then contend it possible to transform a free Republic into a permanent, intolerable despotism.

What more powerful argument could there be for the Congress to remain in session to begin immediately to mercilessly strip from the Executive every one of these enormous powers which were conferred for the period of the war, and to reduce the functions and prerogatives of the President to those which under the Constitution and under the laws enacted by the representatives of the people he should exercise as the obedient servant charged with the carrying out of these mandates of the popular will?

WE MUST NOT DRIFT.

Senators, once again in this most crucial and portentous moment in the history of mankind, when at home the spirit of unrest continues to spread fast and wide and the hearts of our countrymen are filled with anxiety over possible impending disaster, and when in Europe the very foundations of the social, economic, and political order are threatened with destruction, I plead with you, with all the earnestness born of profound convictions, that we abandon the policy of drifting, that we lay aside considerations of political expediency, and take prompt, positive, and intelligently directed action to allay the unrest at home and relieve the impossible conditions abroad.

We are confronted with this extraordinary situation, a situation unparalleled in all our history. The President, who was elected on the slogan that "he kept us out of war," now stubbornly and against the will of the overwhelming majority of the elected representatives of the people persists in keeping us out of peace. The leader of this country in a war "to make the world safe for democracy" has built up in America by means of these extraordinary war powers granted to him by the Congress, and which he now, more than a year and a half after the war has actually ended, refuses to relinquish, the most powerful autocracy in the entire world.

The author of the "new freedom" has sat unmoved in the White House, while American citizens have, in violation of the law protecting inherent natural rights, been hurled into dungeons for disagreeing with the views of the majority, while the Postmaster General, renegade from the principles of Jeffersonian democracy, seized and censored the mails and wires in his autocratic clutch, while spies and secret service agents from a department which disgraces the very name of justice have prowled about as they did in the old days in Russia seeking whom they might destroy. Intimidation, search, and seizure without warrant, brutality, torture, perjury, provocation of crime, the holding of prisoners without sentence and the sentencing of prisoners without sense or the sanctions of justice, bloodshed, and, if we can credit rumors current in New York, which I can not verify, even murder, these have been their methods,

I do not know that the unfortunate victim who fell from the torture room and the unauthorized prison of the Department of Justice in Park Row, New York, to his death upon the pavement below was deliberately murdered, as has been rumored, but he was made the victim of such lawlessness and anarchy as may not longer continue if we are to preserve the institutions of free government. I hope in a few days to discuss this phase of the subject at length and to demand a full investigation.

The author of the 14 points and of the statement that "we had no quarrel with the German people," and that the only enduring peace would be a "peace without victory," connived at and consented to the destructive, vindictive, and wholly impossible peace of Versailles, which it was left to this body to reject, and by such rejection to save the escutcheon of the American people from a strain of everlasting dishonor.

THE LEAGUE OF NATIONS.

The advocate of a League of Nations which was to harmonize and tranquillize and allay the passions of the world has transmitted and stubbornly tried to force upon us under the guise of that fair sounding phrase an unholy alliance, conceived in secret, bred of the passions and hatreds of the war, from which our late enemies and Russia, one of our historic friends, are definitely, and so far as concerns any control which we have over the situation, permanently excluded, and from which, indeed, the whole world, with the exception of ourselves and the imperialistic powers whose spoils of victory the treaty would guaranty, is excluded so far as any effective participation is concerned. This so-called League of Nations would attempt to chain the newly liberated spirit of mankind to the imperial chariot of the old order and drag it in humiliation into slavery and despair. There is no liberating force and no spirit of life and hope for mankind in an institution which permits four or five old men to gather from time to time in secret conclave in vain attempt, in accordance with the outworn practices of an Old World diplomacy, to settle the destinies of a new-awakened world. In such a league America could not participate, if she was to remain true to her great ideal of liberty and to her still greater mission of liberation.

Of such a peace America could not become the guarantor, if she was to remain true to her obligations of international honor and to preserve her soul unsullied before the world. This war, sirs, has been a liberty war. We can not let its outcome be the enslavement of any part of our common humanity. This war, sirs, was a war to vindicate international honor and obligation. We can not make a peace of perfidy. The Germans laid down their arms on the solemn promise of ourselves and our associates that they should have peace on the basis of the principles enunciated in the 14 points. Does anyone familiar with the terms of this treaty seriously contend that it complies with that requirement? Specious excuses are made. It is weakly said that at Versailles the President did the best he could under the circumstances. If the circumstances were such that after we had poured out our treasure and sacrificed the priceless lives of our sons for liberty, only a new form of domination by force could be secured; if the circumstances were such that after we had fought for the sanctity of international obligations we had to become party to a great betrayal, then the President should have come home and left the statesmen who proposed such perfidy to lay for themselves, if they could, the horrible genii of disorder and destruction which the war had brought forth. But, gentlemen, do not deceive yourselves. Such was not the alternative which confronted the President. We held the key to the situation at Versailles, and, sirs, if we have the courage and the will to use it we still hold the key which will unlock the prison house of mankind. That key is our control over the economic and financial destiny of Europe. They owe us an enormous debt. They are dependent upon us as never before for the moral and economic resuscitation of Europe. Europe is falling to pieces. Europe cries out for assistance and for mercy. We will give it, but we have a price—not the price of the hard-hearted Shylock, not the price of false and faithless friends. "Faithful are the wounds of a friend," and if we wound our friends and associates in this war in refusing to ratify this peace, the wounds will be indeed the wounds of a friend; America, their great, true-hearted friend, who would save them from the destruction of their own folly. This, then, is the price, if we are to join a concert of nations, it must be a concert of all the nations for the purposes of peace and progress and the liberation of mankind. If we are to be a party to a European peace, it must be a peace framed in accordance with American ideals and in keeping with our solemn promises to friends and to foes and with the dictates of humanity and common sense. If our power and resources are to play their part in the affairs of Europe and of the world, they must play

an upbuilding and restoring part. If there is to be a concert of the nations, every member of the family of nations, even though there be erring ones, must be made welcome at the common table of council and of action. The old order, with its intolerable balances of power, its sinister schemes for the aggrandizement of this nation at the expense of that, its longer intolerable system of colonial expansion and heartless human exploitation, must give way to the new order of cooperation and brotherhood and peace. America has the power, economic and moral, if she will but apply it, to beat the swords of the world into plowshares. But this treaty has not done it. This so-called League of Nations can not do it.

Are there any signs of disarmament in Europe? Are there any signs of a reconciled and better-ordered world? We alone can save mankind in this great hour of its agony; and, sirs, the spirit of our immortal sires and the great warm-hearted American people who sent us to represent them in this Chamber, haunted with its great and noble traditions and with the spirit of the mighty dead, demand that we rise equal to this great occasion. If we have faltered and hesitated, let us hesitate no longer. If we have drifted downstream in the midst of these stupendous world events, let us now breast the current; let us do our God-given duty and fulfill the inspired destiny of America. The time is here, the occasion is ripe. The resolution which I have offered and which is upon the files of the Foreign Relations Committee would meet the situation. If we present to the President a peace resolution framed on these lines and in this spirit, he must sign it, sirs, if he has any faith in his own great professions. We shall at least put him to the test. Does he desire such a peace as that which he led us to fight for? Does he desire a true concert of all the nations to start the stumbling, faltering footsteps of mankind in the pathways of a just and permanent peace or does he desire merely to work his own stubborn will to obtain a mean, paltry, political advantage at the expense of bleeding, starving, suffering humanity? I for one can not believe it. The President has departed far from the principles and practice of democracy. He has closeted himself close and closed his ears tight against the voices of the people which he professedly desires to hear. But there must still be in his breast some faint stirring of the spirit which led to those noble utterances from which he has so far departed, and if we but show him the pathway to peace which he himself lost in the wilderness of the hatreds and war passions of Paris, perhaps even yet he will walk therein.

AMERICA'S HISTORY AND DESTINY.

As we stand here in this momentous period of transition, in this great epoch between what has been and that which is to be, it would be well for every American to deeply ponder upon America's history, her destiny, her vast, unspeakable responsibility to the world. Every age has had its seer and leader among the nations. I need not call for you the roll of the mighty empires which are no more. Sometimes the leadership has been wholly bad, always stumbling and half blind, rarely almost good, but ever lacking light and insight. Great leader nations fell because they failed. If history means anything, it is a progress toward the development of a leader among the nations which should with clear vision and unflinching steps valiantly and with commanding power lead the world on toward that better civilization which must be at once the goal of history and the fixed purpose of the ages. The world wants leadership toward liberty. Across the summer skies of August, 1914, the star of destiny moved westward to stand above America, cradle of that new liberty which must at last emancipate mankind. When the Kaiser ordered his mighty hosts to move on Belgium the center of the world moved to the Western Continent. The first roar of his giant cannon called America to the responsibility of world leadership. The beginning of this war marked the end of an age. Not the German Empire only, but imperialism itself marched to its doom with those vast armies. The final cause of this war was imperial ambition. Empire joined in bloody battle with Empire for the sovereignty of the world. This war affords the final and conclusive evidence that the ideals and system of imperialism in every age must fail. This none can dispute. The question now for America to answer is, Can the ideals and system of Americanism prevail? Can the purpose of domination and of exploitation and of imperial ambition give way before a new rededication of the world to the spirit of cooperation for the elevation and liberation of mankind? This is the question which the peoples of the world are asking, as in agony they stand waiting to see if this new youthful leader shall have the golden keys of vision, courage, and of faith to unlock the iron portals of unhappiness, cruel circumstance which bar the path to the new and better land of promise. Shall we fail? The President has failed.

Shall we, as the representatives of the sovereign people and of the sovereign States, who have it in their power to make a new world, attempt once more to turn the steps of men, so eagerly and anxiously waiting upon us, into the paths of a just and permanent peace? Let us attempt it by the adoption of this resolution establishing peace and providing for a concert of the nations.

RECESS.

Mr. SMOOT. I move that the Senate take a recess until Monday next at 11 o'clock a. m.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m., Saturday, May 29) the Senate took a recess until Monday, May 31, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 29, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Heavenly Father, our hearts go out in praise and gratitude to Thee for the gospel revealed in the life, character, and precepts of the Master, which is good news, glad tidings, to all people, since it reveals the heart of God, opens the door of the kingdom of heaven to all who would enter and enjoy its manifold blessings, inspiring greater faith, larger hope in the immortality of the soul, that we may press on to larger life and nobler achievements. After the manner of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

TERCENTENARY CELEBRATION, LANDING OF THE PILGRIMS.

The SPEAKER. The Chair appoints as House members of the United States Pilgrim Tercentenary Commission Mr. WALSH, Mr. MCARTHUR, Mr. DOREMUS, and Mr. WHALEY.

POINT OF ORDER.

Mr. HICKS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 11398. An act for the creation of the Custer State Park Game Sanctuary in the State of South Dakota, and for other purposes;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 4927. An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert;

H. R. 5807. An act for the relief of John T. Adams.

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city;

H. R. 3212. An act for the relief of legal representatives of George E. Payne, deceased;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co., and Coos Bay Wagon Road Co.;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.;

H. R. 10317. An act for the relief of Blanche Utley; and

H. R. 10115. An act for the relief of Harvey R. Butcher.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4373. An act to amend sections 207 and 210 of the transportation act of 1920;

S. 3969. An act to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy;

S. 4361. An act to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes;

S. 3743. An act for the relief of W. R. Grace & Co.;

S. 2791. An act to provide for the leasing of public lands in Alaska for grazing purposes;

S. 4400. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended;

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act;

S. 4324. An act for the relief of William C. Brown;

S. 4326. An act for the relief of George F. Ramsey;

S. 4327. An act for the relief of H. B. Banks;

S. 4328. An act for the relief of Roach, Stansell, Lowrance Bros. & Co.;

S. 4250. An act for the relief of John B. Elliott;

S. 2929. An act for the relief of Capt. Edward T. Hartmann, United States Army;

S. 1255. An act authorizing the Texas Co. to bring suit against the United States;

S. 4310. An act to amend an act entitled "The New Mexico enabling act";

S. 4296. An act to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act; and

S. 804. An act authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims.

The message also announced that the Senate had receded from its amendment numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The message also announced that the Senate had passed with amendments the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2791. An act to provide for the leasing of public lands in Alaska for grazing purposes; to the Committee on the Public Lands.

S. 4326. An act for the relief of George F. Ramsey; to the Committee on Claims.

S. 1255. An act authorizing the Texas Co. to bring suit against the United States; to the Committee on Claims.

S. 4310. An act to amend an act entitled "The New Mexico enabling act"; to the Committee on the Judiciary.

S. 4250. An act for the relief of John B. Elliott; to the Committee on Claims.

S. 4327. An act for the relief of H. B. Banks; to the Committee on Claims.

S. 4373. An act to amend sections 207 and 210 of transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

S. 3969. An act to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy; to the Committee on Naval Affairs.

S. 4361. An act to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

S. 804. An act authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims; to the Committee on Indian Affairs.

S. 4324. An act for the relief of William C. Brown; to the Committee on Military Affairs.

S. 3743. An act for the relief of W. R. Grace & Co.; to the Committee on Claims.

S. 4328. An act for the relief of Roach, Stansell, Lowrance Bros. & Co.; to the Committee on Claims.

S. 2929. An act for the relief of Capt. Edward T. Hartmann, United States Army; to the Committee on Claims.

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

S. 4400. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended; to the Committee on the District of Columbia.

S. 4296. An act to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act; to the Committee on the Territories.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that May 28 they had presented to the President of the United States for his approval the following bill:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

SIX DAYS' SUSPENSION OF THE RULES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report, which the Clerk will read.

The Clerk reads as follows:

Resolved, That it shall be in order for six legislative days, beginning May 29, 1920, for the Speaker to entertain motions of Members of committees to suspend the rules under the provisions provided by the general rules of the House.

Mr. CAMPBELL of Kansas. Mr. Speaker—

Mr. GARRETT. Mr. Speaker, I reserve a point of order on the rule.

The SPEAKER. The gentleman will state his point of order.

Mr. GARRETT. And pending that I desire to make a parliamentary inquiry. Will it require a two-thirds vote or a majority vote to pass this rule?

The SPEAKER. The Chair knows no reason why it should require more than a majority, but the Chair is ready to be enlightened.

Mr. GARRETT. The rules of the House provide that the Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV, which is Calendar Wednesday, shall be set aside by less than a two-thirds vote. The question is whether this rule fixing six legislative days as suspension days does not set aside Calendar Wednesday?

Mr. CAMPBELL of Kansas. Will the gentleman yield?

The SPEAKER. Does the gentleman make the point of order?

Mr. GARRETT. I made a parliamentary inquiry as to whether it would take two-thirds or a majority vote to pass it.

The SPEAKER. The Chair would rather have points of order made and pass upon them as they are made rather than volunteer a ruling.

Mr. GARRETT. Well, Mr. Speaker, I make the point of order that it sets aside Calendar Wednesday. Of course, Mr. Speaker, the point of order—I do not exactly know why my parliamentary inquiry is not entitled to an answer without my making the point of order.

The SPEAKER. The Chair will state—the Chair does not mean to be discourteous, of course—that his offhand opinion would be that it would not require a two-thirds vote, but he is open to conviction.

Mr. CAMPBELL of Kansas. May I state for the information of the Chair and the gentleman from Tennessee what I have in mind with respect to this?

Mr. GARRETT. Certainly.

Mr. CAMPBELL of Kansas. It is contemplated that the House shall either recess or adjourn on Saturday, June 5.

Mr. GARNER. What are you going to do next Wednesday?

Mr. CAMPBELL of Kansas. This rule will give six legislative days for suspensions, eliminating next Wednesday.

Mr. GARRETT. Do I understand the gentleman to say that an adjournment resolution will be passed before Wednesday?

Mr. CAMPBELL of Kansas. No; not at all.

Mr. GARRETT. Then Wednesday will not be eliminated?

Mr. CAMPBELL of Kansas. But there will be six legislative days between now and Saturday besides Wednesday. There are seven legislative days between now and Saturday, and that would leave next Wednesday for the call of Calendar Wednesday.

Mr. GARNER. This rule does not say that.

Mr. WALSH. Does not the language of the rule mean six successive legislative days?

Mr. CAMPBELL of Kansas. It does not say so; that is a question to be determined next Wednesday when some chairman of a committee, on the call of Calendar Wednesday, rises and raises the question.

Mr. MANN of Illinois. Mr. Speaker, after all, that is not the question, if the gentleman will yield.

Mr. GARRETT. I will yield.

Mr. MANN of Illinois. Here is the rule:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present.

Now, here is an order forbidding the Committee on Rules reporting any rule which permits other business on Calendar Wednesday than Calendar Wednesday business unless it is set aside by a two-thirds vote; but when the Speaker is given the right on Calendar Wednesday to recognize for suspension of the rules he may take up the entire time recognizing for suspension of the rules, although not a single motion is even seconded by the Members of the House, and may never get to a vote in the House on any motion. It gives the right to the Speaker to dispense with the proceedings on Calendar Wednesday by recognizing Members to move to suspend the rules, and absolutely abrogates the rule. Here is a rule of the House forbidding the Committee on Rules to report any rule which sets aside Calendar Wednesday without a two-thirds vote. [Applause.] Of course, if the Committee on Rules can do that in this way they can do it in some other way. The rule does not except Calendar Wednesday. I suppose the Committee on Rules might have reported a rule making in order suspension for six legislative days except Calendar Wednesday, but they have not so reported. [Applause.] They had better take it back to the Committee on Rules and bring in a rule that is in consonance with the rules of the House.

Mr. MONDELL. Mr. Speaker, if the Chair will allow me just a moment.

This motion if adopted does not necessarily affect Calendar Wednesday business one way or the other. If adopted, it would become the duty of the Chair to determine on Calendar Wednesday whether or no the adoption of this order authorized dispensing with Calendar Wednesday business. If the order were adopted it would become the duty of the Chair on Wednesday, and not sooner, to determine whether or no the adoption of the rule authorized the recognition of anyone to suspend the rules on Wednesday.

Mr. BARKLEY. Will the gentleman yield?

Mr. MONDELL. If I may be allowed to finish just one sentence—

Mr. BARKLEY. Yes. I am perfectly willing for the gentleman to do that.

Mr. MONDELL. Furthermore, Mr. Speaker, if the Chair were to rule that the adoption of this resolution did authorize the recognition of anyone to suspend the rules on Calendar Wednesday, it would be the duty of the Chair to further determine whether or no that recognition could be for any other purpose than for a motion to suspend the rules for Calendar Wednesday business. So the Chair is not called upon at this time to determine whether the adoption of this motion affects the Calendar Wednesday rule. When he does come to pass upon the matter of Calendar Wednesday, if the question is raised, then it is for him to determine whether the rule applies to Wednesday; and if it applies to Wednesday, whether it applies only to Calendar Wednesday business.

May I further call the attention of the Chair to the fact that in any event the rules can not be suspended except by a two-thirds vote, and therefore if recognition was given on Wednesday to consider a measure that was not a Calendar Wednesday measure it would require a two-thirds vote. The vote which the rules provide must be had to set aside Calendar Wednesday business.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. MONDELL. I first yield to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Suppose this rule should be adopted to-day by a bare majority vote, and on next Wednesday the Speaker should hold that this rule abrogated Calendar Wednesday, would that in effect be setting aside Calendar Wednesday without a two-thirds vote?

Mr. MONDELL. That is a matter to be determined on Calendar Wednesday and not now.

Mr. BARKLEY. I do not believe that.

Mr. TOWNER. Mr. Speaker, the question as it appears to me must be determined by the Chair upon this proposition: Does this rule necessarily set aside Calendar Wednesday? I think no gentleman can claim that it does, because it does not neces-

sarily set aside Calendar Wednesday; neither does it necessarily set aside any privilege or rights of any committee that has under Calendar Wednesday certain privileges. There is nothing in this rule, even if it should be made applicable to Calendar Wednesday, that interferes in the slightest with the rights accruing under Calendar Wednesday.

Mr. BLANTON. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. BLANTON. The particular rule reported says six legislative days, without excepting Calendar Wednesday.

Mr. TOWNER. Yes.

Mr. BLANTON. The rule as cited by the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN] says that the Rules Committee shall not even report to the House a rule that seeks to set aside business on that day. If that is right, the Chair would have to take up at least part of Calendar Wednesday to decide the question on a point of order, and not even a part of Calendar Wednesday can be taken up as against the rule.

Mr. TOWNER. The gentleman assumes something that does not exist. There is nothing in the right that is given under the rule that sets it aside or in any way can be construed as a prior right to those that accrue under Calendar Wednesday; an additional right is not by any means a superior right.

Mr. MADDEN. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. MADDEN. Assuming that we provide that each of the six last days of the session shall be set apart for suspension business, it does not follow that because we set them apart and permit motions to be made for suspension that therefore they must be used for that purpose, does it?

Mr. TOWNER. No. The gentleman is exactly correct. It is a privilege. It does not devote the time of the House at any date to that particular business. It is only a privilege that may be exercised.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. TOWNER. I yield.

Mr. CLARK of Missouri. Now, both the gentleman from Iowa [Mr. TOWNER] and the gentleman from Wyoming [Mr. MONDELL] used the same identical language, that this rule does not "necessarily" do away with Calendar Wednesday. Does not that imply this peculiar coincidence, that in the minds of both gentlemen is the idea that it does set aside Calendar Wednesday?

Mr. TOWNER. Oh, no.

Mr. CLARK of Missouri. What is the word "necessarily" for?

Mr. TOWNER. The word "necessarily" means an additional right or an additional privilege, and does not set aside the regular or granted privilege, which is not interfered with.

Mr. CLARK of Missouri. That comes to this, then, that in the mind of the gentleman from Iowa and in the mind of the gentleman from Wyoming the persuasive part of it is that it does set aside Calendar Wednesday?

Mr. MONDELL. If the gentleman from Iowa will allow me—

Mr. TOWNER. Certainly.

Mr. MONDELL. I have not considered that very carefully, but my thought is that it does not grant the Speaker the right to entertain a motion to suspend the rules on Calendar Wednesday except for Calendar Wednesday business, but I am not so sure about that.

Mr. CLARK of Missouri. The gentleman from Wyoming has a pretty good idea of the use of the English language. Does not the use of this word "necessarily" by both these distinguished statesmen mean that Calendar Wednesday may be set aside under this rule?

Mr. MONDELL. I used that language because it is not for me to determine but for the Speaker to determine when the time comes what the effect is on Calendar Wednesday.

Mr. CLARK of Missouri. That is just exactly what I object to.

Mr. REAVIS. Mr. Speaker, will the gentleman from Iowa yield?

Mr. TOWNER. Yes; I yield.

Mr. REAVIS. The rule, as I heard it read, fixes only the procedure for six legislative days, but does not affect the legislation that will be considered under that procedure. Is there anything in the rule that will prevent Calendar Wednesday from being considered on Wednesday when the procedure alone is fixed by the rule?

Mr. TOWNER. Certainly not.

Mr. PADGETT. Mr. Speaker, will the gentleman yield for a question?

Mr. TOWNER. Just one moment. The procedure is not fixed by this rule. This rule only grants, as I tried to state unequivocally, an additional privilege. Now, if the additional privilege should be claimed on Calendar Wednesday to interfere with the business and duty and prior right of Calendar Wednesday, it certainly would not set aside, as the gentleman says, Calendar Wednesday or any other business.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. TOWNER. Certainly.

Mr. MANN of Illinois. Does not the rule permit a motion to suspend the rules on Calendar Wednesday?

Mr. TOWNER. I say no. It does not permit it. It allows a gentleman to ask for it, and it allows, if there is no interference with other business, the Speaker to grant it on Calendar Wednesday.

Mr. MANN of Illinois. It allows the Speaker to grant to a Member the right to make a motion.

Mr. TOWNER. It does.

Mr. MANN of Illinois. That is what I wanted to bring out.

Mr. TOWNER. The gentleman is assuming, I know, something that I do not agree to, and that is that the Speaker would have the right to allow any man to claim the right to make this motion even if it interfered with Calendar Wednesday.

Mr. MANN of Illinois. It does not matter if it interferes with Calendar Wednesday or not. If the gentleman will read the rules he will see that that is so.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. LONGWORTH. In the opinion of the gentleman does paragraph 1 of Rule XXVII, which provides that it shall be in order to suspend the rules during the last six days of the session, itself set aside Calendar Wednesday?

Mr. TOWNER. Certainly not.

Mr. LONGWORTH. That is all this rule does.

Mr. WALSH. This rule does set it aside.

Mr. LONGWORTH. It does?

Mr. WALSH. Yes; it does. Mr. Speaker, I desire to direct the attention of the Speaker to the further provision of this same rule:

Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made, as provided in paragraph 4 of Rule XVI.

Now, I desire to ask—

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT. In order that I may make by own position clear, I did not make the point of order as to Calendar Wednesday but submitted a parliamentary inquiry upon this theory, that if the Chair should hold that it took a two-thirds vote—I mean that if the Chair should hold that this sets aside Calendar Wednesday—it would probably be in order if the rule should be passed by a two-thirds vote, so far as Calendar Wednesday is concerned. But after that parliamentary inquiry is disposed of I shall then insist upon the point of order, based upon the proposition that the gentleman from Massachusetts [Mr. WALSH] raised.

Mr. MADDEN. Mr. Speaker, I would like to be heard on the point of order raised by the gentleman from Massachusetts [Mr. WALSH].

The SPEAKER. The Chair will recognize the gentleman.

Mr. MADDEN. The gentleman from Massachusetts makes a point of order to the effect that—

Mr. WALSH. I did not make a point of order.

Mr. MADDEN. I thought the gentleman did.

Mr. WALSH. I directed the Chair's attention to that language.

The SPEAKER. Is no point of order pending? Does the gentleman make a point of order?

Mr. GARRETT. I will do so. I feel, Mr. Speaker, that I have not made myself clear. The reason why I made a parliamentary inquiry was this—

Mr. FREAR. Mr. Speaker, if there is no point of order pending, I call for the regular order.

The SPEAKER. The Chair will hear the gentleman from Tennessee.

Mr. GARRETT. Mr. Speaker, I am of the opinion that the Committee on Rules can bring in a rule which will permit the setting aside of Calendar Wednesday by a two-thirds vote. Therefore, if this rule should be adopted by a two-thirds vote, so far as the Calendar Wednesday part of it is concerned, I do not think a point of order would lie. Therefore I did not make the point of order on that, but made a parliamentary inquiry, so that we would know how many votes it is going to take;

but I intended, and do intend, if the parliamentary inquiry is answered, that it does take a two-thirds vote to make a point of order upon the proposition raised by the gentleman from Massachusetts [Mr. WALSH].

Mr. MANN of Illinois. I understood, when the resolution was reported, that the gentleman did reserve a point of order, and then submitted a parliamentary inquiry.

Mr. GARRETT. That is correct.

Mr. MANN of Illinois. I make the point of order that the Committee on Rules is not authorized to report this rule, regardless of the number of votes it may take to pass it. The Chair can pass upon both questions if he so desires. I read a moment ago to the Chair a rule which the Chair was already familiar with, forbidding the Committee on Rules to report a rule which sets aside Calendar Wednesday. Now, this rule as reported makes the next six days, including to-day, suspension days.

Mr. CAMPBELL of Kansas. Oh, no. Will the gentleman from Illinois observe that it makes it in order for the Speaker to recognize for six legislative days? It does not say for "the next six legislative days."

Mr. MANN of Illinois. It means the next six legislative days. Do not quibble about a thing of that sort.

Mr. FREAR. A quibble does not apply. You are quibbling.

Mr. MANN of Illinois. You sit down!

Mr. FREAR. You are quibbling.

Mr. MANN of Illinois. It does not mean next December, and it does not mean next January. How odd it would be to say that "for the next six legislative days"! It is for the Speaker to determine which six legislative days, and not the House.

Mr. CAMPBELL of Kansas. That is true.

The SPEAKER. The Chair will hear the gentleman from Illinois complete.

Mr. MANN of Illinois. It makes the next six legislative days, beginning to-day, suspension days. That is what the rule does. It authorizes a motion to suspend the rules on next Wednesday. Now, the rule not only forbids the Committee on Rules to report such a rule—that is, Rule XI—but Rule XXIV provides, in reference to Calendar Wednesday, that on Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule unless the House, by a two-thirds vote on motion to dispense therewith, shall otherwise determine.

The Speaker recalls the long fight that there was in reference to inaugurating Calendar Wednesday, the right of the House to set aside one day of the week beyond the control of the Committee on Rules, when the committees of the House should have the right to call up bills reported from those committees, whether the Speaker or the Rules Committee wanted them to come up or not, unless the House by a two-thirds vote should set it aside. They provided twice in the rules that no other business should be in order, nothing else should be in order, except Calendar Wednesday business. And then in addition to that, fearing that that rule might be set aside by a report from the Committee on Rules, they expressly provided that the Committee on Rules could not report a rule setting aside the provisions in Rule XXIV about Calendar Wednesday. That is exactly what this rule does. It does not make a particle of difference whether the Speaker on Wednesday intends to recognize anybody to move to suspend the rules or not, this gives him the authority to do it. The Committee on Rules has no authority to report such a rule. [Applause.]

Mr. MAPES rose.

The SPEAKER. Does the gentleman from Michigan rise to oppose the point of order.

Mr. MAPES. I do.

The SPEAKER. The Chair is ready to rule.

Mr. MONDELL. Mr. Speaker—

The SPEAKER. Does the gentleman from Wyoming rise to oppose the point of order?

Mr. MONDELL. I do.

The SPEAKER. The Chair is ready to rule.

Mr. GARRETT. Mr. Speaker, I desire to direct the attention of the Chair to the other clause which provides that the committee shall not report any rule or order which will operate to prevent the motion to recommit as provided in paragraph 4 of Rule XVI.

Of course, Mr. Speaker, the general rules of the House for a long while have provided for suspension days, the first and third Mondays and the last six days of the session. That existed in the rules before this provision was ever put there. Let me repeat the language:

Nor shall it report any rule or order which shall operate to prevent a motion to recommit.

A "rule or order." What is this? It is one or the other. It is an order of business for six legislative days. It cuts off

absolutely, it does operate undeniably to prevent a motion to recommit.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. CAMPBELL of Kansas. Does not the gentleman from Tennessee recognize the distinction between a rule or order brought in by the Committee on Rules on a specific bill, or a concurrent or joint resolution or a conference report, that would deny a motion to recommit, and a rule or resolution amending the rules and providing for suspension of the rules for six calendar days?

Mr. GARRETT. I fear the gentleman from Kansas does not get my point of order. The point of order is that this is not a privileged rule. It can not be presented as a privileged rule. Of course, the Committee on Rules can report a resolution amending the general rules of the House and let it go to the calendar and come up in the regular order. But a rule which operates to prevent a motion to recommit, as this rule does, is not a privileged rule. It must take its place on the calendar and can not be presented from the floor as a privileged rule.

The SPEAKER. The Chair is ready to rule. The Chair naturally knew that this question would be raised and has been considering it and will not deny that it has caused him a good deal of perplexity. But the Chair has in his own mind come to a conclusion which is clear, though, of course, he may not make it so to others.

The Chair, in the first place, thinks that this rule making in order for six legislative days motions to suspend the rules does include Calendar Wednesday; that by ordinary construction it means six consecutive days; and that the Chair would have the right to entertain a motion to suspend the rules on Calendar Wednesday. The clause which creates the trouble is that "the Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which shall operate to prevent the motion to recommit being made."

It seems to the Chair that the same argument applies to both. They stand together. It seems to the Chair that this clause means that the Committee on Rules shall not bring in a rule which is aimed strictly at overthrowing either of these privileged matters. But it does not mean that the committee shall not report any resolution which may have that ultimate result. The Committee on Rules, for instance, could bring in a report repealing all the rules of the House; that would dispense with Calendar Wednesday, but that would be in order. It could bring in a rule repealing a part of the rules, including the Calendar Wednesday rule, which would, of course, produce that effect. It seems to the Chair that the Committee on Rules is not permitted to do anything which directly dispenses with Calendar Wednesday or the motion to recommit, but it can bring in a general rule, like the present one, which indirectly produces that result as a minor part of its operation.

Of course, this resolution is brought in, as we all know, on the anticipation that the House will adjourn next Saturday. If a resolution to adjourn should be brought in by the Committee on Rules and passed by the two Houses, that makes the suspension in order for the next six days; that would dispose of Calendar Wednesday and the motion to recommit. Would anyone contend that on that account it was out of order? The Chair thinks that this motion is not so directly aimed at the rule which provides for Calendar Wednesday and the motion to recommit as to make it out of order.

The argument is made that this report from the Committee on Rules is not privileged. The subject matter seems to be strictly within the language of the rule which gives the Committee on Rules jurisdiction over "rules, joint rules, and order of business," and the reports of that committee on the subjects over which they have jurisdiction are privileged under the general rule, and in addition there is a special-section stating that "it shall always be in order to call up for consideration a report from the Committee on Rules."

The Chair overrules the point of order.

Mr. CAMPBELL of Kansas. Does the gentleman from Tennessee desire to make any arrangement—

Mr. GARRETT. Mr. Speaker, I respectfully appeal from the decision of the Chair.

Mr. MONDELL. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The gentleman from Tennessee appeals from the decision of the Chair, and the gentleman from Wyoming moves to lay that appeal on the table.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 192, nays 189, answered "present" 2, not voting 44, as follows:

YEAS—192.

| | | | |
|-----------------|------------------|-------------------|----------------|
| Anderson | Focht | Layton | Robison, Ky. |
| Andrews, Md. | Fordney | Little | Rosenberg |
| Andrews, Nebr. | Foster | Longworth | Rose |
| Anthony | Frear | Luhning | Rubey |
| Ashbrook | French | McArthur | Sanders, Ind. |
| Babka | Fuller, Ill. | McCulloch | Sanders, N. Y. |
| Bacharach | Gallivan | McFadden | Schall |
| Baer | Garland | McKenzie | Scott |
| Barbour | Goodykoontz | McKinley | Sells |
| Begg | Graham, Ill. | McLaughlin, Mich. | Siegel |
| Benham | Green, Iowa | McLaughlin, Nebr. | Sinclair |
| Bland, Ind. | Greene, Mass. | MacCrate | Sinnott |
| Boles | Griest | MacGregor | Slemp |
| Bowers | Hadley | Madden | Smith, Idaho |
| Britten | Hamill | Maher | Smith, Ill. |
| Brooks, Ill. | Hamilton | Mapes | Smith, Mich. |
| Brooks, Pa. | Hardy, Colo. | Mead | Steenerson |
| Browne | Harrel | Michener | Stephens, Ohio |
| Burdick | Haugen | Miller | Stiness |
| Burke | Hawley | Monahan, Wis. | Strong, Kans. |
| Butler | Hays | Mondell | Strong, Pa. |
| Campbell, Kans. | Hersey | Mooney | Summers, Wash. |
| Carrs | Hickey | Moore, Ohio | Sweet |
| Chindblom | Hill | Morgan | Swope |
| Christopherson | Hoch | Mott | Tague |
| Classon | Hull, Iowa | Mudd | Taylor, Tenn. |
| Cooper | Hutchinson | Murphy | Temple |
| Copley | Ireland | Nelson, Wis. | Thomas |
| Crago | James | Newton, Minn. | Thompson |
| Cramton | Jeffers | Newton, Mo. | Timberlake |
| Crowther | Johnson, S. Dak. | Nolan | Tincher |
| Currie, Mich. | Johnson, Wash. | O'Connor | Townner |
| Darrow | Jones, Pa. | Ogden | Vale |
| Davis, Minn. | Juul | Olney | Vare |
| Denison | Kearns | Osborne | Vestal |
| Dickinson, Iowa | Keller | Parnell | Voigt |
| Dowell | Kelley, Mich. | Quinn | Volstead |
| Dunbar | Kelly, Pa. | Radcliffe | Walters |
| Dunn | Kennedy, R. I. | Ramseyer | Watson |
| Dyer | Kless | Randall, Calif. | Webster |
| Echols | King | Randall, Wis. | Wheeler |
| Elliott | Kinkaid | Reavis | White, Kans. |
| Emerson | Kieczka | Reber | White, Me. |
| Esc. | Knutson | Reed, N. Y. | Williams |
| Evans, Mont. | Kraus | Reed, W. Va. | Wilson, Ill. |
| Evans, Nebr. | Kreider | Ricketts | Woodyard |
| Fairfield | Lampert | Riddick | Yates |
| Fess | Langley | | Zihlman |

NAYS—189.

| | | | |
|----------------|----------------|----------------|-----------------|
| Ackerman | Dupré | Lehlbach | Riordan |
| Almon | Eagan | Leshner | Robinson, N. C. |
| Aswell | Eagle | Linthicum | Rogers |
| Ayres | Ferris | Lomergan | Romjue |
| Bankhead | Fields | Luce | Rouse |
| Barkley | Fisher | Lufkin | Rowe |
| Bee | Flood | McAndrews | Sabath |
| Bell | Freeman | McClintic | Sanders, La. |
| Benson | Fuller, Mass. | McDuffie | Sanford |
| Black | Gallagher | McGlennon | Sherwood |
| Blackmon | Gandy | McKeown | Sims |
| Bland, Mo. | Ganly | McKiniry | Sisson |
| Bland, Va. | Gard | McLane | Smith, N. Y. |
| Blanton | Garner | Magee | Steagall |
| Box | Garrett | Major | Stedman |
| Brand | Glynn | Mann, S. C. | Steele |
| Briggs | Godwin, N. C. | Martin | Stephens, Miss. |
| Brumbaugh | Goldfogle | Mays | Stevenson |
| Buchanan | Good | Merritt | Stoll |
| Burroughs | Goodwin, Ark. | Milligan | Summers, Tex. |
| Byrnes, S. C. | Greene, Vt. | Minahan, N. J. | Taylor, Ark. |
| Byrns, Tenn. | Griffin | Montague | Taylor, Colo. |
| Caldwell | Hardy, Tex. | Moon | Tilson |
| Campbell, Pa. | Harrison | Moore, Va. | Tinkham |
| Candler | Heflin | Moore, Ind. | Treadway |
| Cannon | Hersman | Neely | Upshaw |
| Caraway | Hicks | Nelson, Mo. | Venable |
| Carew | Hoe | Nicholls | Vinson |
| Casey | Holland | O'Connell | Walsh |
| Clark, Mo. | Howard | Oldfield | Ward |
| Coady | Huddleston | Oliver | Wason |
| Collier | Hudspeth | Overstreet | Watkins |
| Connally | Hull, Tenn. | Padgett | Weaver |
| Crisp | Humphreys | Palge | Welting |
| Cullen | Husted | Park | Welty |
| Dallinger | Igoe | Parker | Whaley |
| Davey | Jacoway | Parrish | Wilson, La. |
| Davis, Tenn. | Johnson, Ky. | Pell | Wilson, Pa. |
| Dempsey | Johnson, Miss. | Peters | Wingo |
| Dent | Johnson, N. Y. | Phelan | Winslow |
| Dewalt | Jones, Tex. | Platt | Wise |
| Dickinson, Mo. | Kahn | Pou | Wood, Ind. |
| Dominick | Kincheloe | Rainey, Ala. | Woods, Va. |
| Donovan | Lanham | Rainey, H. T. | Wright |
| Doelling | Larsen | Rainey, J. W. | Young, Tex. |
| Doremus | Lazaro | Raker | |
| Doughton | Lea, Calif. | Ramsey | |
| Drewry | Lee, Ga. | Rayburn | |

ANSWERED "PRESENT"—2.
Mann, Ill. Snell

NOT VOTING—44.

| | | | |
|-------------|---------------|-------------|-----------|
| Booher | Cole | Ellsworth | Hastings |
| Brinson | Costello | Elston | Hayden |
| Cantrill | Curry, Calif. | Evans, Nev. | Hernandez |
| Carter | Dale | Goodall | Houghton |
| Clark, Fla. | Drane | Gould | Hulings |
| Cleary | Edmonds | Graham, Pa. | Kendall |

| | | | |
|---------------|-----------|--------|----------------|
| Kennedy, Iowa | Mansfield | Rucker | Smithwick |
| Kettner | Mason | Scully | Snyder |
| Kitchen | Porter | Sears | Sullivan |
| Lankford | Rhodes | Shreve | Tillman |
| McPherson | Rowan | Small | Young, N. Dak. |

So the appeal was laid on the table.

The Clerk announced the following pairs:

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. MCPHERSON with Mr. KITCHIN.

Mr. COSTELLO with Mr. BOOHER.

Mr. CURRY of California with Mr. BRINSON.

Mr. HOUGHTON with Mr. SCULLY.

Mr. KENDALL with Mr. LANKFORD.

Mr. GRAHAM of Pennsylvania with Mr. SMALL.

Mr. YOUNG of North Dakota with Mr. SEARS.

Mr. HULINGS with Mr. MANSFIELD.

Mr. EDMONDS with Mr. RUCKER.

Mr. MASON with Mr. SMITHWICK.

Mr. KENNEDY of Iowa with Mr. CLEARY.

Mr. GOODALL with Mr. ROWAN.

Mr. PORTER with Mr. CLARK of Florida.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. GOULD with Mr. SULLIVAN.

Mr. SHREVE with Mr. KETTNER.

Several Members asked how they were recorded.

Mr. CLARK of Missouri. Mr. Speaker, there is no rule for a third roll call in this House.

The SPEAKER. The gentleman is correct. On this vote the yeas are 192 and the nays 189. The result is so close that the Chair thinks there ought to be a recapitulation. The Chair will ask the Clerk to recapitulate the vote.

The Clerk proceeded to recapitulate the vote.

Mr. GARD (when his name was called). Mr. Speaker, after voting on the second call I remembered that the gentleman from Pennsylvania, Mr. GRAHAM, who is detained at his home on account of illness, yesterday asked me to preserve a special pair with him on the rule to be proposed, and I desire to preserve such a pair, if I may, by withdrawing my vote of no and casting my vote as present on this motion if it be thought to be contained in my agreement to pair on the rule vote.

The SPEAKER. The Chair thinks it is too late.

Mr. MANN of Illinois. Mr. Speaker, that would be disposed of after the recapitulation.

The Clerk concluded the recapitulation of the vote.

The SPEAKER. The recapitulation shows no change.

Mr. GARRETT. Mr. Speaker, did the gentleman from Pennsylvania, Mr. COSTELLO, vote?

The SPEAKER. He is not recorded.

Mr. GARD. Mr. Speaker, the arrangement I had with the gentleman from Pennsylvania I do not think contemplated the roll call which has just been had.

The SPEAKER. The Chair thinks that it would be too late to change the vote in any event.

Mr. MANN of Illinois. Oh, no, Mr. Speaker, it is not too late to make a change of a vote. Let me call the attention of the Chair—

The SPEAKER. The gentleman does not desire to change it now.

Mr. MANN of Illinois. If the Speaker will consult the Manual, I think he will find that it is not too late.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized.

Mr. CAMPBELL of Kansas. Mr. Speaker, does the gentleman from Tennessee desire to make any arrangement in regard to time for debate on the adoption of the rule?

Mr. GARRETT. I suppose it would be well to do so. What does the gentleman suggest?

Mr. CAMPBELL of Kansas. Mr. Speaker, a great deal of time has been consumed already this morning, and if the previous question were ordered there would be 20 minutes of debate on a side. I suggest 20 minutes on a side now.

Mr. GARRETT. Would not the gentleman make it 30 minutes on a side? Then, so far as I am concerned, he may make the request for the previous question and I shall not object.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that there be 30 minutes of debate on a side on the adoption of the rule, one-half to be controlled by myself and

one-half by the gentleman from Tennessee [Mr. GARRETT], and that the previous question be considered as ordered.

The SPEAKER. The gentleman from Kansas asks unanimous consent that there be 30 minutes of debate on a side, one half to be controlled by himself and the other half by the gentleman from Tennessee, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I should like to know whether gentlemen desire an adjournment of Congress at the end of next week.

Mr. PADGETT. Speaking for myself, I say no.

Mr. MONDELL. A great majority of the Members do. The question now before us is important in that it has to do primarily with the question of disposing of the business of Congress within the next week, or at least disposing of it as far as it is possible to do so. At least gentlemen desire to go to the national conventions, and if the business of the Congress is not well out of the way gentlemen may not have that opportunity. Had we adopted a resolution relative to adjournment, then the adoption of that resolution, under the rules, would have given us six days during which the Speaker would be authorized to recognize Members to move to suspend the rules. Such a resolution not having been adopted, the only certain way to close up the business of this Congress, pass appropriation bills, dispose of the program, and get away the latter part of next week is by the adoption of the resolution now before us. If it fails I do not see how gentlemen can hope that important measures now on the calendar, in various stages of legislative procedure, can be disposed of to-day and next week.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I yield.

Mr. SABATH. If the rule is adopted, then will it not be necessary that each and every bill that is called up be passed by a two-thirds vote of the Members present?

Mr. MONDELL. That is a very simple question, for it answers itself. If a measure is brought up under suspension of the rules, of course it requires a two-thirds vote to pass that measure. It does not follow, however, that all of the measures before the House will be considered under suspension of the rules. It does make possible a suspension of the rules to secure prompt action on legislation, with 40 minutes of debate. Unless we have a provision of this kind, which is quite usual in the closing days of a session of Congress, I do not see how it will be possible to dispose of the business now before us that ought to be disposed of, that must be disposed of, before we can adjourn, and that should be disposed of before we recess.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONGWORTH. Is not the very object of this rule to accomplish what has been for years the rule of the House, that the last six days shall be devoted to the dispatch of public business, and failing the passage of an adjournment resolution is not this absolutely necessary?

Mr. MONDELL. Absolutely necessary, ordinary, and usual. Gentlemen will remember that we are hoping to dispose of the business of the session much earlier than we have done for several years past; it therefore becomes more than ordinarily important we have suspension days.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. It is the sort of rule that in the absence of a definite date for the adjournment of Congress is well-nigh essential for the closing of the business of the session promptly and in good condition this early in the season. If we had voted July 1, the end of the fiscal year, to conclude our business, it would not be so important.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. May I have one minute more?

Mr. CAMPBELL of Kansas. My time is all gone.

Mr. CLARK of Missouri. That is a nice working machine.

Mr. GARRETT. Mr. Speaker, it seems to me that the admission which has been made by the majority leader upon this floor is one of the most remarkable which I have ever heard come from any person in a place of responsibility such as his in this House during a term of service of some 16 years. Is it possible that gentlemen upon the Republican side of the House are ready to admit that they can not do business except by suspending the rules, in addition to the regular suspension days

under the general rules of the House? When this Congress met more than a year ago you had a majority of more than 40. You organized this body; you elected the committees. From that time forward the responsibility has been yours, and now, within six days of what you say is to be an adjournment, you come before the country and declare that you can not legislate under the general rules of the House, or under a special rule, but that you have got to suspend all rules.

Mr. LONGWORTH. Mr. Speaker, has the gentleman ever been a Member of any Congress, Democratic or Republican, that did not operate for the last six days under suspension of the rules?

Mr. GARRETT. Why, certainly. I think this is a most unusual—

Mr. LONGWORTH. When?

Mr. GARRETT. The last six days of a short session of a Congress are always suspension days, of course, but never have we in the midst of a session, without the adjournment day being fixed, passed any such resolution as this, never within my memory or in my experience here. [Applause on the Democratic side.] If the gentlemen who are responsible, this invisible body, the steering committee, who are responsible for the conduct of the business in this House, want suspension days in the regular way under the general rules of the House, let them bring in their resolution of adjournment, fixing the day, present it here and now, if you want to take the responsibility of adjourning, and then the question will be settled, and when you have this proposition up under the general rules of the House all men will know what to depend upon. Never, I repeat, never in the history of the Congress during my term of service has there been a resolution passed providing for setting aside six days for suspensions, except after the adjournment date had been fixed; and, in fact, it was not then necessary to pass a special resolution. There is another thought that I want to leave with the membership for a moment. The reasons given by the gentleman from Wyoming are not the reasons which have been current throughout this House and throughout this town for the bringing in of this extraordinary rule. The gentleman from Wyoming very adroitly avoided reference to that with which the thought of this House has been saturated and upon which appeals have been predicated to the minority side of the House to disregard all their own precedents and practices and aid and abet in the incompetency which the majority is willing to display to the country. [Applause on the Democratic side.] Of course, the passage of this rule opens up the floodgates, and instead of hastening adjournment, it is more calculated to defer adjournment. But there is a bill to which the gentleman did not refer, but which has been referred to in private and in public, and was referred to by the gentleman from Kansas [Mr. CAMPBELL] the other day, and that is the so-called bonus bill, or adjusted-pay bill.

Let me repeat again: There is now in the pocket of the gentleman from Kansas a rule providing for the consideration of that bill which he is welcome to call up at any moment. There are some of us who have some objections to the rule and will undertake to amend it, but I am informed, and I did not receive it in confidence—I do not know whether it is accurate, but I believe it to be so—that there was an agreement entered into on yesterday between gentlemen on the Republican side of the House that if this rule providing for six days of suspension were defeated, that rule which the gentleman has had in his pocket for days would be called up, and I would like to know before the conclusion of this discussion whether that is the fact. The gentleman from Kansas can probably inform the House on that.

Mr. CALDWELL. Ask him now.

Mr. GARRETT. And if he will take the House into his confidence upon that we will know better, all of us over here, whether or not we want to vote to support such a radical, unprecedented measure as this suspension rule, which will cut off all amendment or possibility of amendment and practically cause the House to abdicate its constitutional function of originating revenue measures. I will yield to the gentleman from Kansas now in my time if he cares to answer at this time. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I shall be governed by the votes that are cast on this resolution by what I do in the future.

Mr. GARRETT. Mr. Speaker, I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker, it appears to me upon the performance of gentlemen on both sides of this House for the last 10 days that a smooth endeavor has been in operation to leger-

demean the bonus bill off the calendar. [Applause.] Under their work the only way that this legislation can be considered is by the adoption of this rule. No one knows it better than the leaders on both sides of this Chamber who are pulling off this performance to-day. [Applause.] I am going to support this rule, although it has many obnoxious things in it. I am going to support this rule in order to give every man on this floor a chance to vote either for or against the bonus bill. [Applause.] I wanted to get this money out of war profits. This bonus bill does not meet with my approval in its form, but I am for it rather than no compensation bill [applause], and the attempt is to keep down any type of compensation for the soldiers in the late war. [Applause.] The only way that the Members of this House are going to get an opportunity to express their votes in the Record is to vote this rule through. [Applause.] We know that, and I am going to put myself on record by voting for this rule. Every man who is against the bonus is going to vote against this rule. [Applause.] Some men who are for the bonus will vote against the rule, but every single one on both sides of the Chamber who are opposed to the bonus bill, or opposed to compensation to the soldiers, will vote against this rule. I am for the bonus for the ex-service men, and I am bound to vote for this rule in order to get a chance to vote for the bonus. [Applause.]

Mr. GARRETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman used nine minutes.

Mr. GARRETT. Will the gentleman from Kansas use some time?

Mr. CAMPBELL of Kansas. Will the gentleman from Tennessee go ahead?

Mr. GARRETT. I will yield five minutes to the gentleman from Indiana [Mr. Wood].

Mr. WOOD of Indiana. Mr. Speaker, the gentleman from Mississippi [Mr. QUIN], who has just preceded me, has said that everyone who votes against this rule is opposed to the bonus bill. The gentleman certainly did not measure his words. There are a great many people here who would like to vote for the right kind of a bonus bill. [Applause.] There are a number of people who will vote for this rule out of fear that they will not have an opportunity to vote for the right kind of a bonus bill. I am going to vote against this rule for the reason that if it is adopted it is the intention of gentlemen who have charge of the so-called bonus bill that no occasion shall be had to make it what it should be—a bonus bill in fact. [Applause.] There is no disguising the fact that there is implanted in this so-called bonus bill the Lane-Mondell reclamation scheme, which has not 50 friends in this House if permitted to stand alone. Take and adopt a rule here giving us an opportunity to amend this bill. [Applause.] Take and give us a chance so that we may give the soldiers of this country what they want and not what they have been compelled to accept. I have before me—

Mr. COOPER rose.

Mr. WOOD of Indiana. I can not yield—I have before me here now, which every gentleman here no doubt has received, a letter from ex-service men saying that they are not in favor of this Lane-Mondell reclamation scheme and that a rule should be adopted giving a chance to eliminate it. If you give the friends of the soldiers here a chance to perfect a soldiers' bonus bill that will be acceptable to them, you will have no trouble in passing it. Every letter that you are receiving advocating the enactment of this law refers to four alternative plans. Is that true?

Mr. BLAND of Indiana rose.

Mr. WOOD of Indiana. There is not one of them that has taken into consideration the fifth alternative plan or the reclamation scheme proposed by the Mondell plan that is injected into the body of this bill, and the eyes of the people of the country are not closed to the fact as to what it means in the way of expenditure. I took occasion some time ago, on the 5th of May, if I recall rightly, to put in the Record what this means in a money sense. It does not mean the mere expenditure of \$250,000,000. That is just simply the nose of the camel getting under the tent. It means an expenditure out of the Public Treasury of this country, if it means one dollar, of more than \$12,000,000,000. That is what it means.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. WOOD of Indiana. No; I will not yield.

If you will examine the testimony submitted by the Secretary of Agriculture that is set out in the Record of the 5th day of May, you will find that it means an expenditure of twice more now than would have been required in prewar days, and then it would have amounted, if you please, to more than \$6,000,000,000. So I say that this most extraordinary rule should not be

adopted. There is no pretense that it would have been brought in here at all but for the fact that it was by this means that they are attempting to foist on the country, not a soldiers' readjustment bill, or an adjustment-pay bill, but, if you please, primarily the purpose of those who are responsible for the situation we are in here to-day, is to foist upon the country this reclamation scheme that they know they can not foist upon it in any other way.

A MEMBER. Are you in favor of the bill?

Mr. WOOD of Indiana. If you take out that reclamation scheme and amend some of the tax provisions that should be amended I will vote for it without hesitancy. There are but few here that can concede conscientiously that the Mondell plan should have any place in this measure. It has been discarded in this House for the last seven years, and this Congress time and time again, and it would have no chance to pass if it was depending on its own virtue.

We have in the sundry civil bill, which we passed the other day, 25 of these reclamation projects by which the Public Treasury is now being milked at the rate of nearly \$9,000,000 to pay current expenses. If this is such a good thing, and this reclamation is so advisable, why not incorporate it in the reclamation law we have now? Because there is nothing to recommend it and it must of necessity find some subterfuge in order to have character given to it, and this is the means whereby they are attempting to use the soldier boys of this country and bills introduced for their benefit as the means to foist that on the country, which is a fraud in itself, a fraud on the soldier boys, and a drain upon the Public Treasury that is not justified now or at any other time. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. Ferris].

Mr. FERRIS. Mr. Speaker, I deny that this is a partisan question in any sense of the word or that the Democratic Party is lined up against this American Legion bill. I believe that nine-tenths, if not more, of the Democratic side will vote for this bill. They are for it and I am for it, and I am in favor of it and in favor of getting it up, and getting it up now. I am not in favor of any subterfuge or of leaning on any slender technical proposition that will keep it from getting up. [Applause.] I deny that if you vote for this rule or this bill it requires any Member to say he approves of everything in it. I do not myself approve of all of its provisions. I would like to have some things in it that are not in it now, but I content myself with the fact that I will vote for the best proposition for the soldier we can get, and this is the best proposition we can get. I go further. I do not only say it is the best proposition we can get, but the only proposition we can get. It is known here, and known very well, that this Congress is going to adjourn in the immediate future. What other chance will any Member have to support any kind of soldier bill? This is the last chance—it is the only chance.

Mr. GARRETT. Will the gentleman yield? I will yield to the gentleman a minute of my time.

Mr. FERRIS. I gladly yield to my friend from Tennessee.

Mr. GARRETT. If this rule is voted down, the gentleman from Kansas, I charge, will immediately bring up the rule to consider the bonus bill.

Mr. FERRIS. If that is true, that is a difference in form only. The same bill will be brought up if we defeat this and if the other rule is voted up. I maintain it is in substance what the soldier wants, and that he is not concerned about form. I add that 4,800,000 service men are not interested in the form. They are interested in results. [Applause.] I sat in judgment on this soldier relief bill myself four or five months during hearings in the last Congress. I tried as best I could then, with those associated with me, to get this bill up. It was defeated then by men who were opposed to any relief at all. And the men who are opposed to any soldier bill at all are trying to defeat it to-day. [Applause.]

I do not like to vote for harsh rules to get this up. I wish we could have it in here open for amendment. I would be glad if you could do that. But you can not do it, and there are some pretty good reasons for not allowing it. To bring a bill in this late in the session and allow every conceivable scheme to be offered on it would again mean no bill. I want a bill. I want the best bill I can get. This is the only bill that we have. It will do some good. We can amend it later and do more good. It has been delayed too long now. It is time to act.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Has the gentleman used the minute I yielded to him?

The SPEAKER. The gentleman has not.

Mr. GARRETT. I yielded one minute to the gentleman.

Mr. FERRIS. My duty, Mr. Speaker, as I understand it, is clear. This is not a partisan question. If this bill is not what it should be, the Republican side, with 44 majority, brought it in here. It is little enough for a Democrat to decide whether he will do the best thing he can for the soldier or do nothing for the soldier. If this rule is defeated the soldier gets nothing; if the second rule is defeated, the soldier gets nothing. If the soldier gets nothing, each Member will answer to himself and to his constituency for the defeat of this bill. As I understand my duty, it is to pass this bill. I am for the bill. I am going to help get it up. I am going to help get it through. I am going to help get it through, not my way, but get it through.

Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. Mr. Speaker, I object. I will object to all extensions.

The SPEAKER. Objection is heard.

Mr. GARRETT. Does the gentleman from Illinois [Mr. MANN] desire five minutes?

Mr. MANN of Illinois. Yes.

Mr. GARRETT. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, it has not been the practice of Congress to pass a resolution of this character at the long session. It has not been the practice to provide for suspensions being in order in the closing days of the long session. It has not only not been the practice but it never has been done, with one exception, and that was when the Democrats were filibustering in a former Congress, and when we made suspensions in order by a majority vote.

Here is the situation: Congress has been in almost continuous session for more than a year. The Republican side of the House has had a reasonably large majority. If we say to the country, as we will if this resolution be passed, that the Republican majority in this House, with a year's time, has been unable to bring in legislation and perfect it where it is subject to amendment, it acknowledges its impotency and its incapacity. [Applause.] It will be called to your attention and to your constituents on every stump that the Republican majority of the House has not enacted much reconstructive legislation, and then it will be told in addition that the Republican majority of the House was afraid to enact legislation under the ordinary rules and was incapacitated from following the ordinary practice. What will you answer when men say to you that a Republican majority in the House passes a revenue bill raising a billion and a quarter of dollars without a chance to amend it? No party in the history of the country has ever passed a revenue bill under suspension of the rules.

No party in the history of the country has ever proposed to pass a revenue bill without the right to amend it—a bill that takes a billion and a quarter of dollars out of the pockets of the people. You can not defend it by saying that it was to pay a bonus to the soldiers, because that is separate and apart from the principle—the vital principle of legislative liberty—that the Representatives of the people shall have the right to consider and amend propositions to put taxes upon them. [Applause.]

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLAND of Indiana. Is the gentleman against the bonus bill?

Mr. MANN of Illinois. I am against this outrageous, disgraceful, iniquitous bonus bill which carries this outrageous tax. The gentleman is in favor of any law that takes taxes out of one pocket and puts them into another pocket. I am in favor of all reasonable legislation. I do not oppose giving a preference or bonus to the soldiers, but I shall never consent freely to pass bills providing for the raising of revenue where the gag rule is applied. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Kansas has 20 minutes remaining. The gentleman from Tennessee [Mr. GARRETT] has 10 minutes remaining.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

The SPEAKER. The gentleman from South Dakota is recognized for five minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, it is always a pleasure to any of us on either side of the House to listen to

the distinguished gentleman from Illinois [Mr. MANN], who spoke so feelingly and, from his standpoint, so truthfully; but it was a surprise to me to hear him indict the steering committee of his own creation, which I was opposing some months ago. I think, perhaps, his criticism of them is unjustified, because I believe that they have recognized what the majority of this side of this House desires, and that is that the House finally be given an opportunity to vote on the adjusted compensation or soldiers' bonus bill.

Speaking of our parliamentary difficulties, we only have to go back a few years to the time when a resolution called the McLemore resolution was before this House to find an identical situation. We had motions of different kinds, and after all the votes were taken any Member on either side could go back to his constituents and claim that he voted any certain way, and then proceed to prove it; and unless we get this rule passed so that we may get this vote directly on the compensation law now, Members will be in a position where men can claim they were for it who were not for it, and men will not be able to deny that they were not against it?

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. I have only a short time.

Mr. GARRETT. I will try to take care of the gentleman as to any time that I may use. I would like to ask the gentleman a question, although I do not like to embarrass the gentleman. I would like to ask him if he knows anything of an agreement to the effect that if this rule giving six days' suspension is defeated they will immediately call up the rule adopted by the Committee on Rules to which the gentleman has referred?

Mr. JOHNSON of South Dakota. I will be glad to answer the gentleman. I will say to him that in my opinion the chairman of the Committee on Rules will abide by the vote of this House when this rule is brought before the House for action. If a majority of the House says that at this time they do not wish to consider this legislation that vote will be considered as final. As unfair as it may seem and may be, I believe that those voting against the rule must be considered as voting against the legislation. But I had not intended to discuss that question. [Applause.]

Now, in order to be fair to the distinguished gentleman from Tennessee [Mr. GARRETT], I ought to say that he must be referring to some negotiations or some discussions before a committee of this House of which he is a member, the proceedings of which he properly and rightfully did not touch upon, yet which I might fairly discuss, so long as I did not say what occurred in the committee room, and he might very easily have gathered the inference that there would be another vote. [Applause.] I think I should say that much in fairness to the gentleman.

Now, I am sorry to see members of the Democratic Party that I absolutely know have been and are in favor of adjusted-compensation legislation being forced to vote with, or being put in the position of voting with, the "battalion of death" on this side, who will vote against any kind of legislation, and therefore have it go out before the people of this country that you individual Democrats, like the minority leader, the distinguished gentleman from Missouri [Mr. CLARK], who I know favors this legislation or this kind of legislation—have it go out before the people of this country that you, the Democratic Party, defeated it. And yet that is just the situation that you will be placed in, because if there is going to be another vote I do not know it, and therefore I assume we will have to live or die on this particular vote, whether the rule is iniquitous or not—and I would prefer that you do not question me about that [laughter and applause]—whether the law is what it should be or not. I do not like certain features of it any more than some of you on both sides like it. I only say that the thing to do, if you are in favor of adjusted compensation, is to pass this rule and pass the bill and then come back next session, when the first revenue bill is before the House, and if you so elect to vote, we will put a reasonable war-profits tax on the revenue law. That will raise some of the money needed to be raised to pay this bill, and we will obtain legislation for the soldier at the present time. [Applause.]

The SPEAKER. The time of the gentleman from South Dakota has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Tennessee use the remainder of his time?

Mr. GARRETT. Mr. Speaker, I yield the remainder of my time to the gentleman from Missouri [Mr. CLARK].

The SPEAKER. The gentleman from Missouri is recognized for 10 minutes.

Mr. CLARK of Missouri. Mr. Speaker and gentlemen, this is one of the most outrageous rules that was ever proposed in this House. [Applause.] The gentleman from Ohio [Mr. LONG-

WORTH], who is by no manner of means a spring chicken, has been popping up here all day, asking if this is not the usual practice—that is, to pass a resolution making the last six days of the long session suspension days. It is not. I am pretty well advanced in my twenty-sixth year here. It was never done but once, and that was when the Democrats were carrying on a stubborn filibuster and were tying up the Republicans tight as a drum, and the Republicans brought in a very excruciating sort of a rule, which among other things provided that you could suspend the rules and pass a bill by a simple majority. Outside of that, it has never been done, and it is exceedingly bad practice.

I will tell the Speaker something he does not know, which he can learn only by experience: If they pass this rule, he will be nearly insane by the time the six days are up. Every man here who has got a job on hand will be after him to get a chance to pass it under suspension of the rules.

I want to get at the real substance of this whole business. I want to suggest to the gentleman from Kansas [Mr. CAMPBELL], and that on high authority, that—

It is excellent
To have a giant's strength; but it is tyrannous
To use it like a giant.

Now, here is the situation. I know it as well as if I had been through the gentleman's pockets. If this rule is beaten, and it ought to be beaten, the gentleman from Kansas [Mr. CAMPBELL] will immediately bring in a rule here to take up this bonus bill. And I want to tell you gentlemen over here now, my young soldier friend from Kentucky [Mr. Swope], and the rest of you, the statement printed in the newspapers that the Democrats are against this compensation bill is a lie. [Applause.] I am rather inclined to think that I am a Democrat. I think I could prove it if necessary. I am in favor of a compensation bill to the soldiers and have been from the beginning and have favored it on this floor. My son would not get a cent out of it because he was a colonel, and colonels do not participate under this bill; hence nobody can claim that I am voting public money into his pocket; but I think about these poor fellows who marched in the mud and were in the trenches, half fed, and sometimes only half clothed, and I am in favor of a soldiers' compensation bill. And if I am not a Democrat, there is not one on top of the earth. [Applause.]

In the second place, these capitalistic newspapers that are accusing everybody who is in favor of a compensation bill of any kind of being a demagogue are infernal liars. I have no opposition for renomination to Congress in my district, and I am in favor of a compensation bill. And now I will tell you young people over here, the kindergarten class needs some education on this subject. The worst way to pass bills that has ever been devised in this House is by suspension of the rules. Now, where are you? If you vote for this rule, it will take a two-thirds vote to pass the bonus bill. If you beat this rule, the gentleman from Kansas [Mr. CAMPBELL] will come in here with his inside pocket full of rules, and the first one will be to take up the bonus bill in such a way that you can not amend it. If that rule is defeated, I will risk my reputation as a prophet that the next thing he will do will be to bring in a rule here to discuss the bonus business under the general rules of the House. [Applause.] And that is what we want. We want to change some of the tax features that are provided in that bonus bill. I am in favor of getting the money out of the profiteers who piled up fortunes during the war. [Applause.]

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. CLARK of Missouri. I yield to the gentleman from Indiana.

Mr. BLAND of Indiana. I will ask the gentleman if during the time he was Speaker he did not recognize Gen. SHERWOOD to move to suspend the rules on the last general pension bill passed during the last administration in order to avoid amendments?

Mr. CLARK of Missouri. I recognized him because it was suspension day and he made the motion. I have forgotten all the reasons, but I did not want his bill busted up. I will say that.

Mr. BLAND of Indiana. And we do not want this one busted up.

Mr. CLARK of Missouri. Now, if you people are so anxious for a bonus bill you do what I tell you. You vote down this rule and then when the chairman of the Committee on Rules [Mr. CAMPBELL of Kansas] brings in a rule providing that we can not amend the bonus bill you vote that down, and then public opinion in this House will force him to bring in a rule here to take it up under the general rules of this House.

I will tell you where you are headed. If this rule passes, then every bill that is taken up here in the six days will require

a two-thirds majority in order to pass it. You can not recommend it, you can not amend it, and it has got to go through just as it is written.

Mr. MONDELL. Will the gentleman yield?

Mr. CLARK of Missouri. I yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman does not mean just that. He says every bill considered here in the next six days would require a two-thirds vote. Of course, the gentleman knows that is not accurate. All bills that were considered under suspension of the rules, of course, would require a two-thirds vote, but there might be few and there might be many bills so considered.

Mr. CLARK of Missouri. That is correct; but the whole time would be devoted to suspension of the rules, would it not? Every man here who has a bill will go after the Speaker to get him to recognize him to move to suspend the rules.

Now, about adjournment. Of course, the short session has six days before the 4th of March, so that there is a definite time fixed for the beginning of the six days before adjournment in the short session in which to suspend the rules; but if the gentleman from Kansas [Mr. CAMPBELL] brought in a rule here providing for adjournment in six days from now you could not pass it. I am in favor of this House staying here until the public business is transacted. [Applause.] That is what we were sent here for. I should like very well to be at home. It is a good deal more pleasant there than this place here, but I am willing to stay here clear through until the 4th of March to transact the public business that ought to be transacted for the good of the American people. [Applause.] This war legislation ought to be repealed and we ought to get back to prewar conditions.

I hope everybody understands what the situation is. I will state it again. In the first place, this rule is dangerous. Every kind of a job can be put through under it. They will form an association—the suspension of the rules fellows—and you can not beat them when they form that association. I have seen it done.

If you beat this rule, the gentleman from Kansas [Mr. CAMPBELL] will bring in a rule on the bonus bill that will not allow any amendment to it. That will either go through or it will not. If it does not go through, the public opinion of this House will drive him into bringing in a rule here to take up that bill under the general rules of the House, and that is the way it ought to be taken up, and give us a chance to amend this tax system. And my advice to everybody on both sides, and especially to the men in favor of this bonus legislation, is to vote this rule down, because it can not end in any good to you. It is very doubtful whether you can muster any two-thirds in this House for it. There are people against it on both sides. All of you who have been here paying attention to your business know that. You will get a fair chance that way, and you do not get any fair chance this way. Some people are opposed to certain features of the bill, and some people want to put other features into it.

Mr. GARRETT. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. GARRETT. It might be well to call attention to the fact that it only takes a majority to pass it under the general rules.

Mr. CLARK of Missouri. Yes; it will only take a majority to pass it under the Campbell rule No. 2, and it will take two-thirds to pass it under a suspension of the rules. [Applause.]

The SPEAKER pro tempore (Mr. Fess). The time of the gentleman from Missouri has expired, and the gentleman from Kansas [Mr. CAMPBELL] is recognized for 15 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, gentlemen who oppose legislation that will in a small degree compensate the soldiers of the Great War for the losses they sustained are opposed to this resolution. [Applause.]

Every gentleman who is opposed to legislation compensating the soldiers in any degree for losses they sustained are opposed to this resolution. [Applause.]

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No; I can not yield now.

Mr. CLARK of Missouri. Yes; you can. [Laughter.]

Mr. CAMPBELL of Kansas. Every gentleman on this side of the House who voted against laying the appeal from the decision of the Chair on the table is opposed to compensating the soldiers of the Republic who bared their breasts to shot and shell on the fields of Flanders. [Applause.]

No gentleman who has so far discussed this question can refrain from announcing his opposition to some feature in this bill. The gentleman from Missouri [Mr. CLARK] says he is in

favor of compensating the soldiers. The soldiers in the country will take his vote upon this resolution rather than what he says about it. [Applause.]

"By their fruits ye shall know them." The time has come to unmask on this question. It is time to raise the barrage. It is time now to compel gentlemen to go over the top, to go out where they will face the foe, vote aye or no, and you who vote no against this resolution will be known to the country and known everywhere as opposed to soldiers' indemnity legislation. [Cries of "No, no!"] Gentlemen should at least not violate the rules of the House.

I say now that on this side of the House gentlemen who are opposed to this legislation did not during any time that legislation was offered here in favor of war contractors vote against any measure or any appropriation that favored them. [Applause.] No gentleman on this side of the House representing the great taxpayers objected to any legislation that would compensate every man who had a contract with the Government during the war. [Applause.] It was not then said that legislation that imposed these burdens on the country would bankrupt the Treasury. It was not then said that it would bring on a panic. It was not then said that the people could not stand additional taxation. Some of you are opposed to this legislation because it taxes certain gamblers in Wall Street and in Chicago. [Applause.] And every one of you who votes against this resolution votes to protect from taxation the gamblers on the stock exchange in New York and the grain exchange in Chicago. [Applause.]

Who are the boys for whom this legislation is intended? They are the boys who shed imperishable glory on the history of the Republic. [Applause.] They terminated the war a year or a year and a half earlier than it had been expected it would terminate. And I call the attention of you gentlemen over here to this fact, that if it had not been for the bravery and the indomitable courage and endurance of these boys the Kaiser would be levying tribute on you to-day. [Applause.] You made this statement in the opera houses and in the churches to the people you addressed in support of the bond issues during the war.

Now, I want to unmask a little further. Some of you on the Democratic side who are opposed to this legislation are opposed to it because 350,000 to 375,000 colored boys would come within its provisions. I deny now in their behalf and in behalf of every man who wore the uniform of his country and followed its colors that they will waste this money and become profligate by reason of receiving it.

Mr. STEVENSON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No. The young men who enlisted in this great war or who were drafted for the war came out of it mature and great men, and they will save this country from all enemies in the years to come. [Applause.] They are entitled to some compensation for the losses they sustained during two awful years.

Mr. UPSHAW. Give us a chance for a straight vote.

Mr. CAMPBELL of Kansas. You will have a chance in five minutes. [Applause.] If you vote it down, you must square yourselves with your consciences.

You say this is to buy the vote of the soldiers?

Mr. PELL. Yes.

Mr. CAMPBELL of Kansas. That is the most infamous charge that could be made against these brave boys, and no man who has regard for their integrity and for their place in history, would make that statement. Their votes can not be bought. No men in the history of wars suffered more from the time they entered the cantonments until the armistice was signed than these boys, and many of them suffered every agony after the armistice was signed. These boys went through a literal hell in the cantonments, and in the camps, in the trenches, in the field, and whether they were in the air, on the land, on the sea, or under the sea, they rendered great service and terminated, in glorious victory, the greatest war in history. [Applause.]

It is proposed to raise a billion and a quarter dollars in their behalf. We have already paid two and a quarter billion dollars to the contractors since the armistice was signed, and you gentlemen voted it. You never uttered a word against that legislation. You did not say that it was infamous. To-day you attempt to cover yourselves behind a barrage of an alleged drastic rule and say you can not vote for this thing. If it was not for this soldier legislation, there would scarcely be a single vote in this House against this resolution. The opposition to this resolution grows out of the fact that immediately upon its adoption the gentleman from Michigan [Mr. FORBNEY] will be recognized by the Speaker to move to suspend the rules and pass the bill that will provide some compensation for these splendid boys. Are you in favor of it?

SEVERAL MEMBERS (on the Democratic side). Yes.

Mr. CAMPBELL of Kansas. Then vote for the resolution so you can vote for the bill. If you are against this legislation, you will go on record against this resolution.

Mr. SABATH. Mr. Speaker—

Mr. CAMPBELL of Kansas. No; I can not yield. You will vote against this resolution if you are against this legislation. You can not play fast and loose, hot and cold, on this question.

The SPEAKER. Does the gentleman yield?

Mr. CAMPBELL of Kansas. No; I do not yield. You can not say in one breath that you are for the soldiers, for compensation for them, and then as soon as you have an opportunity vote against a resolution that makes it possible to consider the bill that would give them the compensation that has been agreed upon. This bill provides everything the soldiers ask for and one thing more, viz, the insurance feature. It provides for raising the revenue by taxing stock and grain gamblers, by taxing large incomes, by taxing transfers of real estate, by taxing tobacco, and by taxing stock dividends. [Applause.]

The SPEAKER. The time of the gentleman from Kansas has expired. All time has expired. By agreement the previous question is ordered. The question is on agreeing to the resolution.

The question was taken, and the Chair announced that he was in doubt.

The House proceeded to divide.

Mr. BLANTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 165, answered "present" 1, not voting 41, as follows:

YEAS—220.

| | | | |
|-----------------|------------------|-------------------|----------------|
| Anderson | Fess | Langley | Riddick |
| Andrews, Md. | Fields | Larsen | Robison, Ky. |
| Andrews, Nebr. | Focht | Layton | Rodenberg |
| Ashbrook | Fordney | Little | Romjue |
| Bakka | Foster | Longworth | Rose |
| Bacharach | Frear | Luhring | Rouse |
| Baer | French | McArthur | Rubey |
| Barbour | Fuller, Ill. | McCulloch | Sanders, Ind. |
| Begg | Gahivan | McKenzie | Sanders, N. Y. |
| Benham | Gandy | McKiniry | Schall |
| Bland, Ind. | Ganly | McKinley | Scott |
| Boles | Garland | McLane | Sells |
| Bowers | Goldfogle | McLaughlin, Mich. | Sherwood |
| Briggs | Goodykoontz | McLaughlin, Nebr. | Siegel |
| Britten | Graham, Ill. | McPherson | Sinclair |
| Brooks, Ill. | Green, Iowa | MacCrate | Sinnott |
| Brooks, Pa. | Greene, Mass. | MacGregor | Siemp |
| Browne | Griest | Madden | Smith, Idaho |
| Brumbaugh | Hadley | Maher | Smith, Ill. |
| Burdick | Hamill | Mapes | Smith, Mich. |
| Burke | Hamilton | Mays | Smith, N. Y. |
| Caldwell | Hardy, Colo. | Mead | Snell |
| Campbell, Kans. | Harrel | Michener | Steenerson |
| Carew | Haugen | Miller | Stephens, Ohio |
| Carrs | Hawley | Monahan, Wis. | Stiness |
| Casey | Hays | Mondell | Strong, Kans. |
| Chindblom | Hersey | Mooney | Strong, Pa. |
| Christopherson | Hickey | Moore, Ohio | Summers, Wash. |
| Classon | Hill | Morgan | Sweet |
| Cooper | Hoch | Morin | Swope |
| Copley | Howard | Mott | Tague |
| Cramton | Hudspeth | Mudd | Taylor, Colo. |
| Crowther | Hull, Iowa | Murphy | Taylor, Tenn. |
| Cullen | Ireland | Neely | Thomas |
| Currie, Mich. | James | Nelson, Wis. | Thompson |
| Darrow | Jeffers | Newton, Mo. | Timberlake |
| Davey | Johnson, Ky. | Nolan | Tincher |
| Davis, Minn. | Johnson, S. Dak. | O'Connell | Towner |
| Denison | Johnson, Wash. | O'Connor | Vaile |
| Dickinson, Mo. | Jones, Pa. | Ogden | Vare |
| Dickinson, Iowa | Juhl | Olney | Vestal |
| Donovan | Kearns | Osborne | Vinson |
| Dooling | Keller | Porter | Voigt |
| Dowell | Kelley, Mich. | Purnell | Volstead |
| Dunbar | Kelly, Pa. | Quin | Walters |
| Dunn | Kennedy, R. I. | Radcliffe | Watson |
| Dyer | Kless | Raker | Webster |
| Echols | Kincheloe | Ramseyer | Wheeler |
| Elliott | King | Randall, Calif. | White, Kans. |
| Emerson | Kinkaid | Randall, Wis. | White, Me. |
| Esch | Kiecza | Reavis | Williams |
| Evans, Mont. | Knutson | Reber | Wilson, Ill. |
| Evans, Nebr. | Kraus | Reed, N. Y. | Wilson, Pa. |
| Fairfield | Kreider | Reed, W. Va. | Yates |
| Ferris | Lampert | Ricketts | Zihlman |

NAYS—165.

| | | | |
|------------|---------------|--------------|---------------|
| Ackerman | Bland, Va. | Clark, Mo. | Doughton |
| Almon | Blanton | Coady | Drewry |
| Anthony | Box | Collier | Dupré |
| Aswell | Brand | Connally | Eagan |
| Ayres | Buchanan | Crago | Eagle |
| Bankhead | Burroughs | Crisp | Fisher |
| Barkley | Butler | Dallinger | Flood |
| Bee | Byrnes, S. C. | Davis, Tenn. | Freeman |
| Bell | Byrns, Tenn. | Dempsey | Fuller, Mass. |
| Benson | Campbell, Pa. | Dent | Gallagher |
| Black | Candler | Dewalt | Garner |
| Blackmon | Cannon | Dominick | Garrett |
| Bland, Mo. | Caraway | Doremus | Glynn |

| | | | |
|-----------------|----------------|-----------------|---------------|
| Godwin, N. C. | Lehlbach | Padgett | Stoll |
| Good | Linthicum | Paige | Summers, Tex. |
| Goodwin, Ark. | Loneragan | Park | Taylor, Ark. |
| Greene, Vt. | Luce | Parker | Temple |
| Griffin | Lufkin | Parrish | Tilson |
| Hardy, Tex. | McAndrews | Peters | Tinkham |
| Harrison | McClintic | Phelan | Treadway |
| Heflin | McDuffie | Platt | Upshaw |
| Hersman | McFadden | Pou | Venable |
| Hicks | McGlennon | Rainey, Ala. | Walsh |
| Hoey | McKeown | Rainey, H. T. | Ward |
| Holland | Magee | Rainey, J. W. | Watson |
| Huddleston | Major | Ramsey | Watkins |
| Hull, Tenn. | Mann, Ill. | Rayburn | Weaver |
| Humphreys | Mann, S. C. | Riordan | Welling |
| Husted | Martin | Robinson, N. C. | Welty |
| Hutchinson | Merritt | Rogers | Whaley |
| Igoe | Milligan | Rowe | Wilson, La. |
| Jacoway | Minahan, N. J. | Sabath | Wingo |
| Johnson, Miss. | Montague | Sanders, La. | Winslow |
| Johnston, N. Y. | Moon | Sims | Wise |
| Jones, Tex. | Moore, Va. | Sisson | Wood, Ind. |
| Kahn | Moore, Ind. | Stegall | Woods, Va. |
| Kennedy, Iowa | Nelson, Mo. | Stedman | Woodyard |
| Lanham | Newton, Minn. | Steele | Wright |
| Lazaro | Nicholls | Stephens, Miss. | Young, Tex. |
| Lee, Calif. | Oldfield | Stevenson | |
| Lee, Ga. | Oliver | | |
| Leshner | Overstreet | | |

ANSWERED "PRESENT"—1.

Gard

NOT VOTING—41.

| | | | |
|---------------|-------------|-----------|----------------|
| Booher | Edmonds | Hulings | Sears |
| Brinson | Ellsworth | Kendall | Shreve |
| Cantrill | Elston | Kettner | Small |
| Carter | Evans, Nev. | Kitchin | Smithwick |
| Clark, Fla. | Goodall | Lankford | Snyder |
| Cleary | Gould | Mansfield | Sullivan |
| Cole | Graham, Pa. | Mason | Tillman |
| Costello | Hastings | Rhodes | Young, N. Dak. |
| Curry, Calif. | Hayden | Rowan | |
| Dale | Hernandez | Rucker | |
| Drane | Houghton | Scully | |

So the resolution was adopted.

The Clerk announced the following additional pairs:

On the vote:

Mr. GRAHAM of Pennsylvania (for) with Mr. GARD (against).

Mr. DALE (for) with Mr. HOUGHTON (against).

Mr. RHODES (for) with Mr. GOULD (against).

Mr. HAYDEN (for) with Mr. EDMONDS (against).

Mr. KENDALL (for) with Mr. KITCHIN (against).

General pairs:

Mr. SNYDER with Mr. CARTER.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. COSTELLO with Mr. BOOHER.

Mr. CURRY of California with Mr. BRINSON.

Mr. HOUGHTON with Mr. SCULLY.

Mr. YOUNG of North Dakota with Mr. SEARS.

Mr. HULINGS with Mr. MANSFIELD.

Mr. MASON with Mr. SMITHWICK.

Mr. GOODALL with Mr. ROWAN.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. SHREVE with Mr. KETTNER.

Mr. COLE with Mr. SULLIVAN.

Mr. GARD. Mr. Speaker, on the roll call I voted "no." I have a special pair with the gentleman from Pennsylvania, Mr. GRAHAM, and I desire to withdraw my vote of "no" and answer "present."

The name of Mr. GARD was called, and he answered "Present."

The result of the vote was announced as above recorded.

Mr. FORDNEY. Mr. Speaker—

The SPEAKER. The gentleman from Michigan.

Mr. FORDNEY. Mr. Speaker, I move that the rules be suspended and that the House pass the bill H. R. 14157, known as the soldiers' bonus bill. [Applause.]

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill which the Clerk will report by title.

Mr. MANN of Illinois. No; report it in full.

The Clerk read as follows:

A bill (H. R. 14157) to provide adjusted compensation for veterans of the World War; to provide revenue therefor; and for other purposes.

Be it enacted, etc.—

TITLE I.—GENERAL PROVISIONS.

DEFINITIONS.

SECTION 1. This act may be cited as the "World War adjusted compensation act."

SEC. 2. As used in this act—

The term "veteran" includes any individual, a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918; but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to

wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage; and

The term "adjusted service pay" means the amount of the payment to which the veteran would be entitled under the provisions of Title II.

OPTIONAL PLANS.

SEC. 3. Each veteran shall have the right to avail himself of any one, but only one, of the following plans:

- (1) To receive "adjusted service pay" as provided in Title II;
- (2) To receive an "adjusted service certificate" as provided in Title III;
- (3) To receive "vocational training aid," as provided in Title IV;
- (4) To receive "farm or home aid," as provided in Title V; or
- (5) To receive "land settlement aid," as provided in Title VI.

APPLICATION BY VETERAN.

SEC. 4. (a) The veteran's choice among the plans enumerated in section 3 shall be made by application filed with the Secretary of War, if he is serving in, or his last service was with, the military forces; or with the Secretary of the Navy, if he is serving in, or his last service was with the naval forces.

(b) Applications for adjusted service pay shall be made within 6 months after the passage of this act.

Applications for adjusted service certificates shall be made within one year after the passage of this act.

Applications for vocational training aid or for farm or home aid, shall be made within one year after the passage of this act; except that in the case of an individual in active service in the military or naval forces at the time of the passage of this act, obligated to serve for a definite period, the application may be made within one year after the termination of such period, and in case such active service is for an indefinite period, application may be made within two years after the passage of this act.

Applications for land settlement aid shall be made within one year after the passage of this act; but if application is made within such time, the time for receiving the credits and exercising the preferences provided for in Title VI shall be as specified in such title.

Any application not made within the time provided therefor shall be held void.

(c) An application shall be made (1) personally by the veteran, or (2) in case physical or mental incapacity or absence from the continental United States prevents the making of a personal application, then by such representative of the veteran and in such manner as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe. An application made by a representative other than one required by any such regulation shall be held void.

(d) The Secretary of War and the Secretary of the Navy shall jointly make any regulations necessary to the efficient administration of the provisions of this section.

PROOF OF VETERAN'S CHOICE OF PLAN.

SEC. 5. (a) As soon as practicable after the receipt of a valid application, the Secretary of War or the Secretary of the Navy, as the case may be, shall transmit to the Secretary of the Treasury, if the veteran has chosen an adjusted service certificate, or to the Federal Board for Vocational Education if the veteran has chosen vocational training aid, or to the National Veterans Settlement Board if the veteran has chosen farm or home aid, or land settlement aid, a certificate setting forth:

- (1) That the applicant is a veteran;
- (2) His name and address;
- (3) The plan chosen; and
- (4) The amount of adjusted service pay to which he would be entitled if he had chosen that plan.

(b) Upon receipt of such certificate, the officer or board to which it is transmitted shall proceed to extend to the veteran the benefits conferred by the plan chosen, at the time, in the manner, and under the conditions provided for in the title of this act covering such plan.

PUBLICITY.

SEC. 6. (a) The Secretary of War and the Secretary of the Navy shall, as soon as practicable after the passage of this act, jointly prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act, accompanied by such statements as to the comparative advantages of each of the plans enumerated in section 3, as may be of assistance to veterans in making their choice among such plans; and shall from time to time thereafter jointly prepare and publish such additional or supplementary information as may be found necessary.

(b) The officer or board having charge of the administration of any plan or part thereof enumerated in section 3 shall transmit to the Secretary of War and the Secretary of the Navy as soon as practicable after the passage of this act full information and explanations as to the matters of which such officer or board has charge, which shall be considered by the Secretary of War and the Secretary of the Navy in preparing the publications referred to in subdivision (a).

(c) The publications provided for in subdivision (a) shall be distributed in such manner as the Secretary of War and the Secretary of the Navy may determine to be most effective to inform veterans of their rights under this act.

STATISTICS.

SEC. 7. Immediately upon the passage of this act the Secretary of War and the Secretary of the Navy shall ascertain the individuals who are veterans as defined in section 2, and, as to each veteran, the number of days of overseas service and of home service, as defined in section 201, for which he is entitled to receive adjusted service pay; and their decisions shall not be subject to review by the accounting officers of the Treasury.

ADMINISTRATIVE REGULATIONS.

SEC. 8. Any officer or board charged with the administration of any plan under this act, or of any part thereof, shall make such regulations, not inconsistent with this act, as may be necessary to the efficient administration of the matter of which such officer or board has charge.

DEDUCTION OF OVERPAYMENTS.

SEC. 9. After computing the amount of payment to be made to the veteran under any one of the plans enumerated in section 3, or after using his adjusted service pay as the basis for any compensation under this act, there shall be deducted from the amount thus obtained the amount of any overpayment previously made in respect to the service of the veteran in the military or naval forces.

SEC. 10. Any officer or board charged with the administration of any plan under this act, or of any part thereof, shall make a full report to Congress on the first Monday of December of each year.

SEC. 11. No sum payable under this act to a veteran, or to his estate, or to any beneficiary named under Title III, shall be subject to attachment, levy, or seizure under any legal or equitable process.

TITLE II.—ADJUSTED SERVICE PAY.

SEC. 201. As used in this title—
The term "overseas service" means service on shore in Europe or Asia, exclusive of China, Japan, and the Philippine Islands; and service afloat, including the period from the date of embarkation for such service to the date of disembarkation on return from such service, both dates inclusive; and

The term "home service" means all service not overseas service.

SEC. 202. There shall be paid to any veteran, upon application in accordance with the provisions of section 4 and in addition to any other amounts due him in pursuance of law, the following sums for each day of active service, in excess of 60 days, in the military or naval forces of the United States after April 5, 1917, and before July 1, 1919, as shown by the service or other record of the veteran: \$1.25 for each day of overseas service, and \$1 for each day of home service; but the amount payable to a veteran who performed no overseas service shall not exceed \$500, and the amount payable to a veteran who performed any overseas service shall not exceed \$625.

SEC. 203. (a) No such payment shall be made to—
(1) Any commissioned officer above the grade of captain in the Army or Marine Corps, lieutenant in the Navy, first lieutenant or first lieutenant of engineers in the Coast Guard, or passed assistant surgeon in the Public Health Service, or having the pay and allowances, if not the rank, of any officer superior in rank to any of such grades; in each case for the period of service as such;

(2) Any individual holding a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces, for the period of service under such commission or warrant after the accrual of the right to pay thereunder;

(3) Any civilian officer or employee of any branch of the military or naval forces, contract surgeon, cadet of the United States Military Academy, midshipman, cadet of the Coast Guard, member of the Reserve Officers' Training Corps, member of the Students' Army Training Corps (except an enlisted man detailed thereto), member of the United States Guards, member of a development battalion (except an officer or enlisted man detailed thereto), member of the United States Disciplinary Barracks Guard, Philippine Scout, member of the Philippine Guard, member of the Philippine Constabulary, member of the Porto Rico Regiment of Infantry, member of the National Guard of Hawaii, member of the insular force of the Navy, member of the Samoan native guard and band of the Navy, or Indian Scout—in each case for the period of service as such;

(4) Any individual entering the military or naval forces after November 11, 1918—for any period after such entrance;

(5) Any individual originally entering the service for special or limited service only—for the period of such special or limited service not overseas service;

(6) Any individual performing home service not with troops and receiving commutation of quarters or of subsistence—for the period of such service;

(7) Any member of the Public Health Service—for any period during which he was not detailed for duty with the Army or the Navy;

(8) Any individual granted a farm or industrial furlough—for the period of such furlough;

(9) Any individual detailed for work on roads or other highway construction or repair work—for the period during which his pay was equalized to conform to the compensation paid to civilian employees in the same or like employment, pursuant to the provisions of section 9 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919;

(10) Any individual who has been absent from duty on account of disease resulting from his own intemperate use of drugs or alcoholic liquors or from other misconduct—for the period of such absence; or

(11) Any individual who has been absent without proper authority for more than one day, or in confinement under sentence or awaiting trial and disposition of his case, if the trial resulted in conviction—for the period of such absence or confinement.

(b) The periods referred to in paragraphs (5) and (6) of subdivision (a) may be included in the case of any individual if and to the extent that the Secretary of War and the Secretary of the Navy jointly find that such service subjected such individual to exceptional hazard. A full statement of all action under this subdivision shall be included in the reports of the Secretary of War and the Secretary of the Navy required by section 10.

(c) In computing the payments to any veteran under this title effect shall be given to all paragraphs of subdivision (a) which are applicable.

(d) If part of the service is overseas service and part is home service, the home service shall first be used in computing the 60 days' period referred to in section 202.

(e) For the purpose of computing the 60 days' period referred to in section 202, any period of service after April 5, 1917, and before July 1, 1919, in the military or naval forces in any capacity may be included, notwithstanding payment for such period, or a part thereof, is prohibited under the provisions of subdivision (a) of this section, except that the periods referred to in paragraphs (2), (3), and (4) of subdivision (a) shall not be included.

(f) For the purposes of section 202, in the case of members of the National Guard or of the National Guard Reserve called into service by the proclamation of the President dated July 3, 1917, the time of service between the date of call into the service as specified in such proclamation and August 5, 1917, both dates inclusive, shall be deemed to be active service in the military or naval forces of the United States.

SEC. 204. (a) The payments authorized by the provisions of this title shall be made in installments, beginning July 1, 1921, as follows: (1) If the total amount payable is \$500 or over, in 10 equal quarterly installments; and (2) if the total amount payable is less than \$500, in quarterly installments of \$50; except that any installment necessary to complete the payments may be less than \$50.

(b) If before the completion of the installment payments the veteran is separated from the military or naval forces under other than honorable conditions, or is discharged therefrom on account of his alienage, no further installments shall be paid. Payments shall be made by the Secretary of War if the veteran is serving in, or his last service was with, the military forces; and by the Secretary of the Navy, if he is serving in, or his last service was with, the naval forces.

SEC. 205. If the veteran dies after making application in accordance with the provisions of section 4 for adjusted service pay and before receiving all the installment payments, the payments authorized by the provisions of this title shall be made to his estate.

SEC. 206. No right to adjusted service pay under the provisions of this title shall be assignable or serve as security for any loan. Any assignment or loan made in violation of the provisions of this section shall be held void. The Secretary of War and the Secretary of the Navy shall not pay the amount of adjusted service pay to any person other than the veteran or his estate or such representative of the veteran as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe.

TITLE III.—ADJUSTED SERVICE CERTIFICATES.

SEC. 301. When used in this title, the term "date of application" means the date upon which the application of the veteran for an adjusted service certificate, made in accordance with the provisions of section 4, is received by the Secretary of War or the Secretary of the Navy.

SEC. 302. The Secretary of the Treasury, upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to issue without cost to the veteran designated therein an adjusted service certificate (hereinafter in this title referred to as a "certificate") of a face value equal to the sum of (1) the adjusted service pay of the veteran increased by 40 per cent, plus (2) interest thereon for 20 years at the rate of 4½ per cent per annum, compounded annually (such amount being approximately equal to 3.38 times the adjusted service pay of the veteran). The certificate and all rights conferred under the provisions of this title shall take effect as of the date of application therefor. The veteran shall name the beneficiary of the certificate and may from time to time, with the approval of the Secretary of the Treasury, alter such beneficiary. The amount of the face value of the certificate shall be payable (1) to the veteran 20 years after the date of application therefor, or (2) upon the death of the veteran prior to the expiration of such 20 years, to the beneficiary named; except that if such beneficiary dies before the veteran and no new beneficiary is named, or if the beneficiary in the first instance has not yet been named, the amount of the certificate shall be paid to the estate of the veteran.

SEC. 303. There is hereby established in the Treasury a revolving fund to be known as the "adjusted service certificate loan fund" (hereinafter in this title referred to as the "fund"). The Postmaster General is authorized to make loans out of such fund upon the certificate of any veteran. The amount of such loans to any one veteran outstanding at any one time shall not exceed—

(a) If the loan is made during the third to fifth years, inclusive, after the date of application for the certificate, 90 per cent of the sum of (1) the adjusted service pay of the veteran plus (2) interest thereon, from the date of application for the certificate to the time of making of the loan, at the rate of 4½ per cent per annum, compounded annually, or

(b) If the loan is made during the sixth to twentieth years, inclusive, after the date of application for the certificate, 80 per cent of the sum of (1) the adjusted service pay of the veteran increased by 40 per cent, plus (2) interest thereon from the date of application for the certificate to the time of the making of the loan, at the rate of 4½ per cent per annum, compounded annually.

SEC. 304. Moneys in the fund shall be available to make all loans upon certificates. The Postmaster General is hereby authorized to set aside out of the fund such reserve moneys as may be required to make such loans, and the Secretary of the Treasury is authorized to invest the remainder of the moneys in the fund in interest-bearing obligations of the United States. Such obligations may at the discretion of the Secretary be sold and the proceeds reinvested in other interest-bearing obligations of the United States, and shall be sold and the proceeds made available for the purposes of the fund, whenever the Postmaster General certifies that in his opinion further amounts are required for the purposes of the fund. The fund shall be discontinued 23 years after the passage of this act and any moneys therein at such time shall be covered into the Treasury as miscellaneous receipts.

SEC. 305. No loan shall be made upon any certificate within 2 years after the date of application for the certificate. Application for loans may be made to any postmaster of a first, second, or third class post office. The veteran shall give a note for the repayment of the loan upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 4½ per cent per annum, and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding the life of the certificate. The veteran may, however, pay any or all installments of the principal previous to their due date. The Postmaster General shall by regulation prescribe the form of application, and the duration, number, and amount of installments, and such other conditions as he deems advisable, of the loan. All payments in respect to the loan shall be made through a first, second, or third class post office. Any moneys received for the repayment of the loan shall be covered into the fund. Whenever the Postmaster General finds that the borrower is in arrears for more than 2 years in his installments upon the note or has violated any other condition thereof, he shall certify such fact to the Secretary of the Treasury, who shall thereupon declare the certificate of the borrower to be forfeited.

SEC. 306. No certificate issued or right conferred under the provisions of this title shall be negotiable or assignable or serve as security for a loan other than one made under the provisions of section 303. Any loan made in violation of any provision of this section shall be held void. Whenever the Secretary of the Treasury finds that any such certificate or right has been negotiated or assigned, or has served as security, in violation of a provision of this section, the rights of the veteran under this title shall be forfeited.

SEC. 307. In the case of the death of the borrower or the forfeiture of his certificate or rights under this title, any loan made upon the certificate and the note in respect thereto shall be deemed canceled. The Secretary of the Treasury shall thereupon reimburse the Postmaster General for all unpaid installments upon any canceled loan; and in case such loan has been canceled as a result of the death of the borrower, the Secretary of the Treasury shall deduct the amount of such reimbursement from the amount of the face value of the certificate in respect to which the loan is made.

SEC. 308. Any certificate issued under the provisions of this title shall have printed upon its face the conditions and terms upon which it is issued and to which it is subject.

TITLE IV.—VOCATIONAL TRAINING AID.

SEC. 401. The Federal Board for Vocational Education (hereinafter in this title referred to as the "board") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to pay to the veteran designated therein (if he is

not receiving the benefits of the vocational rehabilitation act, as amended) the sum of \$1.75 for each day of his attendance on a course of vocational training previously approved by the board as suitable for such veteran. Such payment shall be made without deduction for Sundays, holidays, or vacations not exceeding two weeks in duration, or for absence for other cause which the board deems justifiable; but the total payment shall not exceed 140 per cent of the amount of adjusted service pay which the veteran would be entitled to receive if he had chosen that plan.

Payments under this section shall be made monthly, or at more frequent intervals, as the board may determine generally or in special cases.

SEC. 402. The board shall establish such regulations as will insure the regular attendance of the veteran on his course of training, and no sum or sums shall be payable under this title unless the board has been furnished proof of such regular attendance. For each day of unjustifiable absence the veteran shall forfeit the sum payable for that day, and shall receive no reimbursement for it in any other form.

SEC. 403. (a) If the payment under section 401 plus the amounts forfeited under section 402 is less than 140 per cent of the adjusted service pay, either by reason of the duration of the course approved, or by reason of the veteran's discontinuing, with the approval of the board, his attendance on his course of training, he shall be entitled to receive an amount equal to the difference between (1) his adjusted service pay and (2) that proportion thereof which the payments made or accrued under section 401 plus the amounts forfeited under section 402 bear to 140 per cent of his adjusted service pay: *Provided*, That from the amount thus computed there shall be deducted an amount equal to the sums forfeited under section 402.

(b) Such amount shall be paid to him by the board in such installments and at such times as will place him upon the same basis as if he had originally chosen to receive adjusted service pay as provided in Title II.

SEC. 404. If before the completion of the payments under this title the veteran is separated from the military or naval forces under other than honorable conditions, or is discharged therefrom on account of his alienage, no further payments shall be made under this title.

SEC. 405. (a) If the veteran dies, after making application in accordance with the provisions of section 4 and before any payments have been made or have accrued under this title, the amount of the adjusted service pay of the veteran shall be paid by the board to his estate.

(b) If the veteran dies, after the course of training has begun, his estate shall be paid by the board the same amount as would have been paid to the veteran under subdivision (a) of section 403, treating for such purposes the date of his death as the date of discontinuance of attendance on his course of training.

(c) The amounts payable under this section shall be payable in the same manner as provided in subdivision (b) of section 403.

SEC. 406. (a) The board is hereby authorized to cooperate with State boards for vocational education in such manner as will secure their assistance in the approval of courses of training for veterans, and other assistance in carrying out the provisions of this title.

(b) Whenever any State provides funds for assistance to veterans in attendance upon approved courses or provides for free tuition in approved educational institutions, the board is authorized and directed to cooperate with the State board for vocational education of such State in securing the maximum educational opportunities to veterans entitled to the benefits of this title.

TITLE V.—FARM OR HOME AID.

SEC. 501. The National Veterans Settlement Board created by Title VI (hereinafter in this title referred to as the "board") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to pay to the veteran designated therein, in one payment or in installments, an amount equal to his adjusted service pay increased by 40 per cent.

Such payment shall be made for the purpose, and only for the purpose, of enabling the veteran to make improvements on a city or suburban home, or a farm not selected under Title VI, or to purchase or make payments on such a home or farm.

SEC. 502. No such payment shall be made unless and until the board has approved the purpose for which it is desired by the veteran, and has suitable assurance that the money will be expended for such purpose. The board may, at the option of the veteran, or on its own motion, make the payment directly to the vendor or other person to whom such payment is due from the veteran.

SEC. 503. For the purpose of enabling it to pass upon the desirability of the investment the board may make use of the services of land bank appraisers of the Federal Farm Loan Board, to be designated by the latter board.

SEC. 504. (a) If the veteran dies, after making application in accordance with the provisions of section 4 for farm or home aid and before a contract has been entered into with the approval of the board, the amount of his adjusted service pay shall be paid by the board to his estate in such installments and at such times as will place the beneficiaries thereof upon the same basis as the veteran would have been if he had originally chosen to receive adjusted service pay as provided in Title II, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If before the veteran's death a contract has been entered into with the approval of the board, and payments under this title on such contract are still due, such payments shall be made by the board to the vendor or other person to whom such payments are due from the veteran.

TITLE VI.—LAND SETTLEMENT.

NATIONAL VETERANS SETTLEMENT BOARD.

SEC. 601. (a) There is hereby established a board to be known as the "National Veterans Settlement Board" (hereinafter in this title called the "board") and to be composed of five members, as follows:

(1) The Secretary of the Interior (hereinafter in this title called the "secretary"), and

(2) Four members to be appointed by the President by and with the advice and consent of the Senate. At least three of the appointed members of the board shall be veterans.

(b) No veteran retired for age or longevity of service from active service in the military or naval forces shall be eligible for appointment to, or remain eligible for membership upon, the board. Any vacancy in the office of an appointed member shall be filled in the same manner and under the same limitations as in the case of the original appointment.

(c) The secretary shall be the executive and administrative officer to carry out the plans and purposes adopted by the board under the provisions of Title V and of this title. The members of the board, except the secretary, shall receive an annual salary of \$7,500. Of the members appointed to the board in the first instance, one shall be appointed for a term of two years, one for three years, one for four years, and one for five years. Their successors shall hold office for terms of five years; except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds.

ESTABLISHMENT OF PROJECTS.

SEC. 602. The board is hereby authorized to establish veteran settlement projects (hereinafter in this title called "projects") for the reclamation and settlement of lands by means of irrigation, drainage, or other manner or method of development and improvement thereof, including the building of necessary public roads within the projects. Projects shall be selected by the board with a view to the development of one or more projects in each of the several States where the establishment of a project is feasible.

SEC. 603. (a) The board may by gift, purchase, deed in trust, or otherwise, acquire lands suitable for any project; but no project shall be finally selected, and no lands shall be acquired by purchase, unless the price and other conditions of acquisition have been submitted to and approved by (1) the governor of the State in which the lands are located, (2) as to price only, a land bank appraiser to be designated by the Federal Farm Loan Board, and (3) the board. If the governor of the State fails to signify his approval or disapproval within such time as the board by regulation shall determine, the land commissioner, or if there is in the State no official of such title, then the agency which under the laws of the State is authorized to perform the functions ordinarily exercised by a land commissioner, may act in lieu of the governor.

(b) In case any project includes privately owned land, no construction work shall be commenced upon the project, until the owners of all such land in the project have each conveyed or agreed to convey to the United States title to all land owned by him in excess of a farm unit as established for the project under the provisions of section 606.

(c) The Secretary (1) may withdraw from location, sale, settlement, entry, or other disposition and place under the control of the board, such unappropriated public lands as he deems necessary for any project, and (2) shall restore to public entry lands so withdrawn, if subsequently the board finds that such lands are not so required.

(d) The board may in its discretion contract with any irrigation or drainage district or other public corporation organized under the laws of the State in which the project is located to establish, develop, improve, and otherwise cooperate (in accordance with the provisions of this title) in the execution of, and the administration of the affairs of, any project comprising only the lands of such district or corporation.

COOPERATION WITH FEDERAL AND STATE AGENCIES.

SEC. 604. The board may, in executing the provisions of this title—

(1) Make use of, cooperate with, and allot moneys appropriated for its use to any existing agency of the Federal Government which agrees to act as the agent of the board. Such agency is hereby authorized, within the limits of the moneys allotted it and under the direction of the board, to perform work in connection with any project.

(2) Whenever a State provides funds to be expended by the board in the establishment, development, and improvement of any project within the State, the board may contract with the State or any agency thereof designated by the governor to cooperate with the board, to such extent as the board deems advisable, in the work in connection with the project. The board may further establish a branch office in the State to administer matters arising in connection with projects in the State.

(3) Whenever a State provides not less than 25 per cent of the amount of the funds which are, in the opinion of the board, necessary to be expended by it in the establishment, development, and improvement of any project within the State, the board shall authorize the State, or any agency thereof designated by the governor, to undertake, subject to the general supervision of the board, (a) the selection, acquisition, and subdivision of lands for, and the improvement of farms within, any project, and (b) the development thereof after the project is open to settlement.

SEC. 605. So far as practicable, veterans shall be employed and their services utilized in the administrative and field work necessary to the establishment and development of any project by the board and all Federal agencies cooperating therewith. All contracts or other agreements of the board with any cooperating State or agency thereof, shall contain a like stipulation. At the earliest practicable date each soldier so employed upon a project shall be allowed to select and shall be allotted, as hereinafter in this title provided, a farm unit upon which he may construct a dwelling and make other improvements.

ALLOTMENT AND SALE OF LANDS.

SEC. 606. (a) The board shall establish for each project or portion thereof (1) farm units of an acreage sufficient, in the opinion of the board, for cultivation by and the support of a family, and (2) farm worker's units of a smaller acreage sufficient, in the opinion of the board, for part-time cultivation by a farm worker's family.

(b) The board may set apart and reserve tracts within any project for use free from all charge for community and other public purposes, but the title to such lands shall remain in the United States. Whenever any such tract fails to be used for the purpose for which it was set apart and reserved, the board shall, after due notice and hearing, declare the tract forfeited to the United States. Such tract shall thereupon resume its original status.

(c) The board may establish town sites within any project and develop and sell lots therein under such regulations and upon such terms, as it shall prescribe. All moneys received by the board from any such sale shall be expended by the board in the development of the project.

SEC. 607. (a) When used hereinafter in this title, the term "repatriate" includes (1) any citizen of the United States who has served with the military or naval forces of any nation allied against the German Government or its allies without loss of citizenship, and (2) any former citizen of the United States who has served with loss of such citizenship but has since been repatriated; except that such term shall not include a veteran or any individual who was separated from such forces under other than honorable conditions.

(b) Whenever in the opinion of the board farm units or farm worker's units, within any project, are available for settlement, the board shall give public notice and description thereof, together with a statement of the construction charges and other conditions incident thereto, and shall mail individual notices to any veteran whose name has been certified to the board under the provisions of section 5. The board shall allot a farm unit or a farm worker's unit to any such veteran or repa-

triate who applies therefor in such manner as the board shall by regulation prescribe. As between applicants, preference in making allotments shall be given, first, to a veteran who has been employed upon and who has rendered substantial service in the development of any project; and, second, to a veteran or repatriate who, in the opinion of the board, is least likely to fail in his enterprise or to cause the United States loss.

SEC. 608. (a) The cost of construction including the purchase price of any lands acquired for the project, but excluding administrative expenses and the expenses of maintaining general offices and exercising general supervision over projects, shall be apportioned equitably among the farm units, farm workers' units, town lots, and other tracts within the project in proportion to the selling value of each unit, lot, or tract; and the total sale price of all lands within the project shall be fixed with a view of repaying the total of such construction cost of the project.

(b) Each allottee of a farm unit or farm worker's unit shall pay to the board such price as the board shall fix for the unit in pursuance of the provisions of subdivision (a) of this section; except that in case the allottee is a veteran, there shall be deducted from such price, the amount of his adjusted service pay.

(c) A veteran or repatriate may at his option, in lieu of payment in full at the time of entry, pay all balances due upon the purchase price for his unit upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 5 per cent per annum, and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding 40 years. In the case of a veteran, his adjusted service pay shall be considered as the first installment in payment for his unit and the payment of the remaining installments shall not commence until two years thereafter. The board may in its discretion, whenever it is of the opinion that any emergency has caused default in the payment of any installment of the veteran, postpone the payment of such installment until such date as it deems expedient. Such postponed payments shall continue to bear interest on the unpaid principal at the rate of 5 per cent per annum from the date of the contract of purchase. The board shall make such regulations as to residence upon, and use or cultivation of, units by a veteran or repatriate, as in the opinion of the board will carry out the purpose of making the unit his permanent home.

SEC. 609. A patent or deed, as the case demands, shall immediately be issued to a purchaser who has paid the full price for his unit, and may be issued at any time more than five years after the date of purchase to any purchaser under the amortization plan who has met all payments then due from him to the board and has observed all conditions prescribed by regulations issued under the provisions of subdivision (c) of section 608. Each such patent or deed shall expressly reserve to the United States a prior lien on the land patented or deeded, superior to all other liens, claims, or demands whatsoever, for the repayment of all sums due or to become due to the board.

SEC. 610. (a) If the veteran dies after making application in accordance with the provisions of section 4 for land settlement aid and before having entered into a contract of purchase under section 608, the amount of his adjusted service pay shall be paid by the board to his estate in such installments and at such times as will place the beneficiaries thereof upon the same basis as the veteran would have been if he had originally chosen to receive adjusted service pay as provided in Title II, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If the veteran or repatriate dies, previous to the completion of his contract of purchase, the successor by law to his interest in the land, if a widow or heir at law, may assume the contract of purchase. If the successor is other than a widow or heir at law, the balance due the board under the contract of purchase shall be due immediately and shall be paid the board within such time after the death of the veteran as the board shall by regulation prescribe.

SEC. 611. No lands within any project shall in any event become liable to the satisfaction of any debt contracted prior to the issue of the deed or patent therefor. No transfer, assignment, mortgage, or lease of the interest of any purchaser of a unit shall, unless approved by the board, be valid previous to the issue of the deed or patent for the land, or within five years after the date of purchase.

SEC. 612. Prior to the issue of a deed or patent, as the case may be, for any unit, lot, or tract within a project, such unit, lot, or tract shall be subject to taxation by any State or political subdivision thereof, but only upon the appraised value of the owner's interest in the land and improvements thereon. If the owner fails to pay any such tax or assessment, the board is authorized to pay such tax or assessment and to include the amount of the payment, together with interest and penalties at the rate provided by law for delinquent taxes in the State in which the land is located, in the installments payable under the contract of purchase.

SEC. 613. Upon the default of any payment due to the board under, or upon the violation of, the provisions of subdivision (c) of section 608, or of section 610, 611, or 612, the interest of the purchaser in the unit shall revert to the United States free of all encumbrances, but subject to the right of the defaulting debtor, or any mortgagee, lien holder, judgment creditor, or subsequent purchaser, to redeem the land, within one year after the board gives notice of such default, by payment of all moneys due with interest at 8 per cent per annum from the date of default, and costs. The board, at its option, may cause the land to be sold at any time after such failure to redeem. From the proceeds of the sale the board shall retain all moneys due, with interest as provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee. In the case of sale after failure to redeem under this section, the board is authorized to bid in such land at not more than the amount in default, including interest and costs.

SEC. 614. In case a veteran has entered upon land reclaimed under the reclamation law, the board shall, upon application of the veteran, pay to the reclamation fund the amount of the adjusted service pay of the veteran, and the Secretary of the Interior shall thereupon credit such sum to the amount payable to the fund by the veteran.

RECEIPTS FROM PROJECTS.

SEC. 615. All moneys received by the board as payments in respect to lands within any project, except money received from the sale of town sites as provided in section 606, shall be covered into the Treasury of the United States as miscellaneous receipts; except that from such receipts shall be deducted the amounts required to make such repayment or reimbursement to any State or designated agency thereof, or to any district or other public corporation, as is necessary to carry into effect the provisions of subdivision (d) of section 603 and of subdivisions (2) and (3) of section 604.

APPLICABILITY OF RECLAMATION LAW.

SEC. 616. The board shall, so far as possible, in executing the provisions of this title, make use of existing agencies in the Department of the Interior and comply with the reclamation law in so far as such law is applicable and not inconsistent with the provisions of this title. Such reclamation law shall, for the purposes of this title, be deemed applicable to the reclamation of lands by drainage or by any other manner or method, as well as to reclamation by irrigation. This section shall not be construed to give the board any control over the disposition of moneys in the reclamation fund.

APPROPRIATION.

SEC. 617. The board shall for the fiscal year ending June 30, 1921, and annually thereafter, submit to Congress estimates of the amount necessary to be expended by it in executing the provisions of this title. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the aggregate sum of \$250,000,000, to be available for expenditure by the board, in accordance with the provisions of this title, during a period not to exceed 10 years after the passage of this act.

TITLE VII.—VICTORY TAXES.

ADDITIONAL SURTAX ON INCOMES.

SEC. 701. In addition to the surtax imposed by subdivision (a) of section 211 of the revenue act of 1918, there shall be levied, assessed, collected, and paid for the taxable years 1920, 1921, and 1922, upon the net income of every individual, a like surtax equal to the sum of the following:

- One per cent of the amount by which the net income exceeds \$5,000 and does not exceed \$10,000;
- Two per cent of the amount by which the net income exceeds \$10,000 and does not exceed \$26,000; and
- Three per cent of the amount by which the net income exceeds \$26,000.

Such tax shall be returned, assessed, collected, and paid upon the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the surtax imposed by subdivision (a) of section 211 of the revenue act of 1918.

STOCK AND BOND TAX.

SEC. 702. On and after December 1, 1920, subdivision 4 of Schedule A of Title XI of the revenue act of 1918 is amended to read as follows:

"4. Stocks and bonds, sales or transfers: On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to: (a) Shares or certificates of stock or of profits or of interest in property or accumulations in any corporation or trust, or rights to subscribe for or to receive such shares or certificates, or (b) bonds, debentures, certificates of indebtedness, or other instruments evidencing indebtedness, however termed, any of the foregoing issued in serial form whether or not in serial maturities (hereinafter in this subdivision called "bonds"), the tax shall be as follows:

"Between December 1, 1920, and November 30, 1923, both dates inclusive, on each \$10 or fraction thereof of face value, 2 cents, unless the selling price is in excess of the face value, in which case the tax shall be 2 cents on each \$10 or fraction thereof of the selling price. In case of shares without face value the tax shall be 20 cents on each share, unless the selling price is in excess of \$100 per share, in which case the tax shall be 2 cents on each \$10 or fraction thereof of the selling price; and

"On and after December 1, 1923, on each \$100 or fraction thereof of face value, 2 cents, unless the selling price is in excess of the face value, in which case the tax shall be 2 cents on each \$100 or fraction thereof of the selling price. In case of shares without face value the tax shall be 2 cents on each share, unless the selling price is in excess of \$100 per share, in which case the tax shall be 2 cents on each \$100 or fraction thereof of the selling price.

"The tax shall apply (a) whether the sale, agreement, memorandum, or transfer is made upon or shown by the books, or by any indorsement, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale; and (b) whether or not it entitles the holder in any manner to the benefit of such bond, stock, profits, interest, or right.

"The tax shall not apply to transfers pursuant to a sale, where the memorandum of sale has been duly stamped.

"The tax shall not apply to an agreement evidencing a deposit of certificates or bonds as collateral security for money loaned thereon, which certificates or bonds are not actually sold, nor to the delivery or transfer for such purpose of certificates or bonds so deposited.

"The tax shall not apply to deliveries or transfers (a) to a broker for sale, or (b) by a broker to a customer for whom and upon whose order he has purchased the certificates or bonds, if such deliveries or transfers are accompanied by a certificate setting forth the facts.

"In case of sale where the evidence of transfer is shown only by the books the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate or bond the stamp shall be placed upon the certificate or bond; and in case of an agreement to sell or where the transfer is by delivery of the certificate or bond assigned in blank the seller shall make and deliver to the buyer a bill or memorandum of sale, and shall affix the proper stamps thereto; and every such bill or memorandum of sale or agreement to sell shall show the date thereof, the name and address of the seller and buyer, the amount of the sale, and the transaction to which it refers.

"Whoever, with intent to evade the payment of the tax, violates any of the provisions of this subdivision or receives any certificate or bond, or any bill or memorandum required by this subdivision, without having the proper stamps affixed thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000, or be imprisoned not more than six months, or both."

PRODUCE EXCHANGE TAX.

SEC. 703. On and after December 1, 1920, subdivision 5 of Schedule A of Title XI of the revenue act of 1918 is amended to read as follows:

"5. Produce, sales of, on exchange: On each sale or agreement of sale of, or agreement to sell (not including so-called transferred or scratch sales), any products or merchandise at, or under the rules and usages of, any exchange, or board of trade, or other similar place, for future delivery, the tax shall be as follows:

"Between December 1, 1920, and November 30, 1923, both dates inclusive, for each \$10 or fraction thereof of the selling price of the products or merchandise covered by such sale or agreement, 2 cents; and

"On and after December 1, 1923, for each \$100 or fraction thereof of the selling price, 2 cents.

"In the case of every such sale or agreement the seller shall at the time make and deliver to the buyer a bill, memorandum, agreement, or other evidence of such sale or agreement, and shall affix thereto the proper stamps. Such bill, memorandum, agreement, or other evidence of such sale or agreement shall show the date thereof, the name and address of the seller and buyer, the amount of the sale, and the transaction to which it refers.

"The tax shall not apply in case of cash sales of products or merchandise for immediate or prompt delivery which in good faith are actually intended to be delivered.

"The tax shall not apply to the transfer to a clearing-house corporation of an agreement in respect to which the tax has been paid, if such transfer does not vest any beneficial interest in such corporation and is made for the sole purpose of enabling such corporation to adjust and balance the accounts of its members.

"Whoever, with intent to avoid payment of the tax, violates any of the provisions of this subdivision, or receives any bill, memorandum, agreement, or other evidence of sale or agreement, required by this subdivision, without having the proper stamps affixed thereto, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000, or be imprisoned for not more than six months, or both."

REAL ESTATE TAX.

SEC. 704. Schedule A of Title XI of the revenue act of 1918 is amended by adding at the end thereof a new subdivision to read as follows:

"16. Receipts for payments on sales of real estate: On each receipt, issued between December 1, 1920, and November 30, 1923, both dates inclusive, evidencing any payment made during such period on account of any sale, or contract of sale of, or contract to sell, lands, tenements, or other realty, whenever made, 5 cents for each \$10 or fraction thereof of the amount of the payment.

"Any person who receives, between December 1, 1920, and November 30, 1923, both dates inclusive, any payment, whether in cash or in anything of value, on account of a sale, or contract of sale of, or contract to sell, any lands, tenements, or other realty, shall at the time give to the person making such payment a written receipt evidencing such payment and shall affix thereto the proper stamps. Such receipt shall show the date thereof, the name and address of the person giving it, the date and amount of the payment, the name and address of the person making the payment, and the transaction on account of which the payment is made.

"Whoever fails to give any receipt required by this subdivision, or to state therein correctly the amount received, or to affix the proper stamps, or whoever receives any receipt required by this subdivision without having the proper stamps affixed thereto, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than \$1,000, or be imprisoned not more than six months, or both."

TAX ON CIGARS, TOBACCO, AND MANUFACTURES THEREOF.

SEC. 705. (a) On cigars, cigarettes, tobacco, and snuff, manufactured in or imported into the United States, and sold between December 1, 1920, and November 30, 1923, both dates inclusive, by the manufacturer or importer, or removed during such period for consumption or sale, there shall be levied, collected, and paid, under the provisions of existing law, in addition to the taxes now imposed thereon by law, the following taxes to be paid by the manufacturer or importer thereof:

On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, 25 cents per thousand.

On cigars made of tobacco, or any substitute therefor, and weighing more than 3 pounds per thousand, if manufactured or imported to retail at not more than 5 cents each, 50 cents per thousand;

If manufactured or imported to retail at more than 5 cents each, and not more than 8 cents each, \$1 per thousand;

If manufactured or imported to retail at more than 8 cents each, and not more than 15 cents each, \$1.50 per thousand;

If manufactured or imported to retail at more than 15 cents each, and not more than 20 cents each, \$2 per thousand; and

If manufactured or imported to retail at more than 20 cents each, \$2 per thousand.

On cigarettes made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, \$1 per thousand; and

Weighting more than 3 pounds per thousand, 80 cents per thousand; and

On tobacco and snuff, 2 cents per pound.

(b) The taxes imposed by this section shall be levied, assessed, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the taxes imposed by sections 700 and 701 of the revenue act of 1918.

SEC. 706. Title X of the revenue act of 1918 is amended by adding at the end thereof the following new section:

"SEC. 1010. That every corporation shall pay a special excise tax with respect to all dividends declared and paid by it in its own stock or shares on or after March 15, 1920, equivalent to \$10 for each \$100 of the par or face value or fraction thereof. If the dividends so declared are issued without par or face value, the tax shall be computed at the rate of \$10 per share, unless the actual market value is in excess of \$100 per share, in which case the tax shall be computed at the rate of \$10 on each \$100 of such actual value or fraction thereof.

"(a) On or before 60 days after this section takes effect every corporation liable for any tax imposed by this section for the period from March 15, 1920, to and including June 30, 1920, and (b) on July 1, 1921, and thereafter on July 1 in each year, every corporation liable for any tax imposed by this section for the preceding year ending June 30 shall make a return under oath in duplicate and pay the taxes imposed by such section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

"The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due."

TITLE VIII.—MISCELLANEOUS PROVISIONS.

SEC. 801. The officers and boards having charge of the administration of any of the provisions of this act are authorized to appoint such officers, employees, and agents, in the District of Columbia and elsewhere, and to make such expenditures for rent, furniture, office equipment, printing, binding, telegrams, telephone, law books, books

of reference, stationery, motor-propelled vehicles or trucks used for official purposes, traveling expenses and per diem in lieu of subsistence at not exceeding \$4 for officers, agents, and other employees, for the purchase of reports and materials for publications, and for other contingent and miscellaneous expenses, as may be necessary efficiently to execute the purposes of this act and as may be provided for by the Congress from time to time. With the exception of such special experts as may be found necessary for the conduct of the work, all such appointments shall be made subject to the civil-service laws, and preference shall, so far as practicable, be given to veterans.

SEC. 802. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 803. Whoever knowingly makes any false or fraudulent statement of a material fact in any application, certificate, or document made under the provisions of Titles I, II, III, IV, V, or VI, or of any regulation made under any such titles, shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned not more than five years, or both.

SEC. 804. There is hereby authorized to be appropriated such amount as may be necessary to carry out the provisions of this act.

During the reading of the bill the following occurred:

MR. WALSH. Mr. Speaker, I ask that the Clerk read the bill in full.

THE SPEAKER. The Clerk will read the bill in full.

THE CLERK resumed the reading of the bill.

MR. HENRY T. RAINEY. Mr. Speaker, inasmuch as there is to be practically no debate on this bill I am going to insist that the bill be read in full from now on.

THE SPEAKER. The Chair supposed it was being so read.

MR. HENRY T. RAINEY. No, sir; it is not.

THE SPEAKER. The Clerk will read the bill in full.

THE CLERK resumed the reading of the bill.

MR. HENRY T. RAINEY. Mr. Speaker, I make the point of order that the House is not in order. I can not tell whether the bill is being read or not. If no one else is paying attention to it, I desire to do so. This is the first time I have had an opportunity to read it.

MR. FREAR. I think the gentleman ought to have an opportunity; he is a member of the committee—

MR. HENRY T. RAINEY. But I am a Democrat, and as such was excluded from the room.

MR. FREAR. I believe the gentleman ought to have an opportunity of hearing it. I exactly agree with him.

THE SPEAKER. The House will be in order, and the Clerk will read.

THE CLERK resumed the reading of the bill.

MR. HENRY T. RAINEY. Mr. Speaker, the House is in so much confusion that I can not hear. This bill makes a charge of \$5,000,000,000, and I want to hear it, if that is the only thing that I can do about it.

THE SPEAKER. The House will be in order.

THE CLERK resumed and concluded the reading of the bill.

THE SPEAKER. Is there a second demanded?

MR. HENRY T. RAINEY. Mr. Speaker, I demand a second.

MR. TREADWAY. Mr. Speaker, I demand a second.

THE SPEAKER. The gentleman from Illinois is the ranking minority member of the Committee on Ways and Means—is the gentleman opposed to the bill?

MR. HENRY T. RAINEY. I am opposed to the bill in its present form. If I can not amend it, I am going to vote for it.

MR. TREADWAY. Mr. Speaker, I am opposed to the bill, and I understand the gentleman says he is going to vote for it—

THE SPEAKER. Is there anybody—

MR. GARNER. Mr. Speaker—

THE SPEAKER. Is the gentleman from Texas opposed to the bill?

MR. GARNER. I am opposed to the bill, and I expect to vote against it.

THE SPEAKER. The Chair recognizes the gentleman from Texas.

MR. GARNER. Mr. Speaker, I demand a second.

MR. FORDNEY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

THE SPEAKER. The gentleman from Michigan asks unanimous consent that a second may be considered as ordered.

MR. MANN of Illinois. I object.

MR. HENRY T. RAINEY. Mr. Speaker, I think we ought to have a second by tellers, and I object.

THE SPEAKER. The Chair appoints the gentleman from Michigan and the gentleman from Texas as tellers.

The question was taken; and the tellers (MR. FORDNEY and MR. GARNER) reported that there were—ayes 175, noes 91.

So a second was ordered.

MR. HENRY T. RAINEY. Mr. Speaker—

THE SPEAKER. For what purpose does the gentleman rise?

MR. HENRY T. RAINEY. I want to see if I can prevail upon my colleague upon the committee and the other Republicans in the House, inasmuch as this bill imposes a tremendous drain

on the Treasury, to agree to a longer time than the rule provides. [Cries of "Regular order!"] I ask unanimous consent that we have an hour on a side.

Mr. FOSTER and Mr. LAYTON. Mr. Speaker, I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 30 minutes on a side for debate.

Mr. SMITH of Michigan. Mr. Speaker, I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 25 minutes on a side.

Mr. FOSTER. I object.

Mr. HENRY T. RAINEY. I ask unanimous consent that we have 21 minutes.

Mr. FOSTER. I object.

Mr. FORDNEY. Mr. Speaker, I yield three minutes—

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 21 minutes on a side to debate this question.

Mr. MURPHY. Mr. Speaker, I object.

Mr. FORDNEY. Mr. Speaker, I understand the gentleman from Texas wants to make a statement.

Mr. GARNER. Mr. Speaker, I just want to say for the information of the House, since I control the time, I believe, in opposition to the bill, there seems to be about equally divided opposition on each side of the House, and therefore I am going to yield— [Cries of "Regular order!"] I do not see any impropriety in making that statement so that gentlemen may know.

Mr. KNUTSON. It is incorrect; the roll call shows it is incorrect.

Mr. GARNER. I desire to yield one-half of my time to the gentleman from Massachusetts, the ranking Republican on the committee [Mr. TREADWAY]. I merely wanted to make that statement for the information of the House.

Mr. FORDNEY. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. Swope]. [Applause.]

Mr. SWOPE. Mr. Speaker, some time ago a few Members of this House said that the soldiers did not want this legislation and that if they did want it they would say so. Well, the answer to that challenge was that American Legion posts and other soldier organizations from coast to coast adopted resolutions indorsing this legislation and went so far as to send their delegations to Washington to appear before the Ways and Means Committee asking for this legislation. Last fall the First Division was reviewed here in this city and most of the Members of this House shouted themselves hoarse cheering those boys as they passed, but did you know that those boys sent their petition to this very Congress signed by their whole division of about 18,000, asking for the very things this bill proposes to give them? I know from personal experience and contact with my own men that they want it. The enlisted men never did feel like the pay was adequate. As a company commander it was my duty to pay off my men each month, and it was actually pitiful to see scores of men receive only \$5 or \$6 for their month's service after their insurance and one or more allotments, such as class A and class B, had been deducted.

And yet during all that time the slackers and profiteers were becoming rich, and the cab drivers, the hod carriers, the ditch diggers, the section hands, and all other kinds of unskilled labor were making three or four times as much every day as the American soldiers who worked, fought, bled, or died, wherever duty called or Old Glory waved. During that time we saw legislation for better wages and strikes for better wages, but the faithful old American soldier never struck for better wages—he struck for victory and at the throat of the enemy.

This Congress and the one preceding it voted a \$240 bonus to Federal employees who were already getting three or four times as much pay per day as the soldiers, and about two weeks ago a civil retirement bill was passed which retires on pensions Government employees, most of whom never did a day's military service. And now our soldiers, after they have successfully helped to win this great war, come and ask that their pay be increased \$1 a day for domestic service and \$1.25 for foreign service. As a matter of fairness, gentlemen, they are entitled to it, and this Congress should not refuse it. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, Kipling, in his poem on the survivors of the Battle of Balaklava, said:

"There were thirty million English that
talked of England's might;
There were twenty broken troopers
that lacked a bed for the night;
They had neither food nor money, they
had neither service nor trade,
They were only shiftless soldiers, the
last of the Light Brigade.

"They felt that life was fleeting; they
knew that art was long,
That though they were dying of famine
they lived in deathless song;
They asked for a little money to keep
the wolf from the door,
And the thirty million English sent
twenty pounds and four!"

We might suggest an American version:

There were one hundred million Yankees
that talked of Yankee might

[Applause.]

And sent but sixty dollars
to the boys that fought their fight;
Yes; sixty dollars; that and nothing more,
If that's to be in history America's low score—

Then—

"God of our fathers, known of old,
Lord of our far-flung battle line,
Beneath whose awful hand we hold
Dominion over palm and pine;
Lord God of Hosts be with us yet,
Lest we forget—lest we forget."

[Loud applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. GARNER. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I yield three minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, I have been a soldier myself and my natural impulses are all favorable to the soldier. I have favored legislation for his benefit and expect to favor hereafter legislation that will be of more real benefit to the soldier than any contained in this bill.

The passage of this bill at this time is a futile thing. It is so admitted by its most ardent supporters. It is not expected that it will pass the other body at this session of Congress, and it can not pass if we are to adjourn next week, as it seems to be expected we shall do.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. TILSON. Having only three minutes, I can not yield to anyone.

The gentleman from South Dakota [Mr. JOHNSON], who is recognized as one of the leading advocates of this legislation, describes the bill in such terms as ought to defeat it here to-day. He said, in substance, as an excuse for passing the bill in its present shape now that next December we can change it. In other words, he admits that this bill is bad now, but when December comes we can make its bad features good. If that is what he proposes on behalf of the service men, why not wait until December, when we in this House may have an opportunity to consider the entire matter on its merits? Who has given a single valid reason why the House should pass this bill at this time if it is to repose in a Senate committee until December? Can it be true that it must be rushed through now in order to catch the soldier vote at the approaching election? I have lived and served with soldiers and think I know something of their habits of thought. In my judgment they can not be fooled so easily.

The tax features of this bill are in many ways unsatisfactory. However, as the taxpayers seem to have but few friends here, it will be useless for me to use a single moment of my precious time in explanation of the taxation title of the bill.

The cash feature of this bill is bad and ought to go out. It is, in effect—and it can not be denied—a little pension, amounting to about \$16 a month beginning more than a year from now and continuing for two and one-half years at the maximum, bringing the last payment up to January 1, 1924. That is all it is, and that is all that anyone can make out of it. Is that going to be satisfactory to the soldier? Not if I know the soldier, and I think I do.

The bill is also unfair to the long-service men. If we attempt to adjust compensation, should we pay the same to a man who has been in the service 500 days as we do to a member of the Yankee Division, for instance, who served 800 days? Is that "adjusted compensation"? Is that fair?

The soldiers themselves will be most of all dissatisfied when they discover that in passing this bill we bring them no present relief. In passing it now to take effect more than a year hence we are guilty of attempting to play what is substantially a "bunco" game upon those toward whom we should feel the highest respect, honor, and gratitude. If we pass this bill as it

is written, we shall place ourselves in the position described by Macbeth in Shakespeare's immortal tragedy as those—

That keep the word of promise to our ear,
And break it to our hope.

This describes what we are going to do to the veterans of the Great War if we pass this bill and it should become a law in the form in which it is proposed to pass it here to-day. I refuse to be a party to any such confidence game. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, there were over 600,000 men discharged for mental and physical disability that we are caring for, and the expense is increasing and will continue to increase. Then there are the dependents of the hundred thousand men, in round numbers, who died in France. Uncle Sam is to care for them as long as they live, and he is to care for the stricken soldiers until they are returned to health.

We have had many drives with which to sell bonds. The maid that worked in the kitchen, the man that labored in the field, everybody, subscribed to those bonds, and we saw many men who said, before the people subscribed, "Uncle Sam is the best and most able to pay of anybody in the world, and every bond you subscribe for is worth a hundred cents on the dollar." There were certificates galore.

We owe \$25,000,000,000. We let the Allies have \$10,000,000,000, and they are not paying interest, and can not for years to come. What is the result? Uncle Sam's credit is decreasing and is becoming less and less valuable, and is reflected in the high cost of living.

I have received more protests against this from the men who represent the dependents than I have requests from men that are said to desire bonuses, and if I had leave I would insert them in the RECORD. I will put in the RECORD a telegram just received, if there is no objection. [After a pause.] I hear none, Mr. Speaker. [Laughter.]

The telegram is as follows:

CHICAGO, ILL., May 28, 1920.

Hon. JOSEPH G. CANNON,

House of Representatives, Washington, D. C.:

As State chairman of committee for aid to disabled veterans I respectfully ask that consideration of bonus legislation for all ex-service men be deferred until adequate provision has been made for those disabled, whose numbers total over 600,000. Am an ex-service man myself and believe my views represent attitude of considerable percentage of men who served in late war.

W. M. RUTTER.

Oh, you say, "We have got to have this or we can not be renominated or reelected." I am not a prophet nor the son of a prophet, but I am against this bonus bill in the shape it is in, and for the men who came back sound and healthy I am against any bonus bill now. I shall be dead 50 years before a service bill shall have been enacted by law, such as was given under the leadership of my colleague from Illinois [Mr. FULLER] with respect to the soldiers of the Civil War. This is equivalent to a pension bill.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. May I have just one minute more? [Cries of "Go ahead!"]

The SPEAKER. Does the gentleman from Massachusetts yield?

Mr. TREADWAY. I yield, Mr. Speaker, to the gentleman half a minute.

The SPEAKER. The gentleman from Illinois is recognized for half a minute more.

Mr. CANNON. I want to say it and say it with all the force that I can: From my acquaintance with the ordinary man—and I am an ordinary man, and I have trod every path that any poor boy has trod in the country—I want to say to you that I know the mass of the people in the Middle West and the sentiment there, and I want to say to my colleagues that they will reject the insult that you place upon them in passing this bill. [Applause.]

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. Sisson].

The SPEAKER. The gentleman from Mississippi is recognized for two minutes.

Mr. Sisson. Mr. Speaker, it is impossible, of course, to discuss this bill in two minutes. You Republicans are offering this bill as a campaign document, and you know it. In the campaign you will send out this bill and will pretend that it is the best bill that you can get. This is not true and you know it. When he gets this bill the soldier will find that when he asked you for bread you Republicans gave him a stone. He is asking for fish and you are giving him a serpent.

This bill does not go into operation until over 12 months from to-day. Every soldier will be disappointed when he looks at this sham. You can not get his vote that way.

When this bill was under consideration in the Committee on Ways and Means there was a \$600 bonus in the bill. Members of that committee of the Democratic faith offered an amendment that would take the money necessary to pay that bonus from the war profiteers, and you Republicans declined to do that. These profiteers contribute the millions to your campaign fund and you Republicans will not tax them. You first reported a bill here carrying a consumption tax, taxing the wants and the needs and the necessities and the nakedness of the people, and your own side would not stand for it and you withdrew that bill. Why? Because you knew that we Democrats would offer an amendment to tax the rich war profiteers and enough Republicans would join in to amend it. Now you are presenting this sham. You know you are presenting the American soldier a gold brick, and they are going to find it out, and the demagogue can go on the stump and demagogue there as the demagogue demagogues here, but you can not get anywhere with this sort of a bill. I believe I really would insult your intelligence if I said that I thought a single one of you believed that this bill in its present form will ever become a law. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. CONNALLY].

The SPEAKER. The gentleman from Texas is recognized for two minutes.

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, a Republican House has put this gorgeously decorated decoy tantalizingly in front of the soldier, but a Republican Senate safely holds a string, and at the psychological moment it will be pulled. Those who designed this measure had no intention that it should ever become a law, and so they are fixing its taxing features in such a way that it is hoped the pinch and sting of them would not be felt until after the election and might be forgotten before another one.

Mr. Speaker, I have had letters from both enlisted men and officers opposing the cash bonus feature of this bill.

Here is a letter from an enlisted man:

I left the management of a big rolling mill in my State and entered the Army as an enlisted man, and remained one up to the time of my discharge; and, looking at it strictly from the standpoint of salary, I lost money, but I had the very great pleasure of knowing I was giving something that money couldn't buy, and something in the way of a service lots of people haven't had the fortune to render the United States.

So far as I am advised, only one American Legion post in my district took any action with reference to the bonus, but I want to read to you what it said. It is the James A. Edmond Post, of McLennan County, the largest and most populous county in my district. I read from the Waco News-Tribune:

The post unanimously adopted a resolution brought by J. D. Willis that the post go on record as opposed to the granting of any bonus by Congress to any able-bodied ex-service man.

Mr. Speaker and gentlemen of the House, I refuse to be a party to this scheme to deceive the soldiers, hastily cooked up, hastily passed under a suspension of the rules, in the closing days of the session, that can not be amended, and conceived purely for political purposes in the forthcoming election. I should like to give full expression to my views but my limited time prevents. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The SPEAKER. The gentleman from Mississippi is recognized for two minutes.

Mr. HUMPHREYS. Mr. Speaker, I served for eight years under a Republican House, and I served for eight years under a Democratic House, and I believe I can truthfully say this has been the most hypocritical performance I have ever witnessed. [Applause.]

It is not the intention of anybody that this law shall be written upon the statute books, because we know it can not be. You have had an opportunity for a year to pass it if you really wanted to pass it, but that is not the purpose. The purpose is to pass it through the House and go out this summer and tell the boys, "Well, we voted for a bonus," and then wink the other eye at the other fellow who is opposed to it. [Laughter and applause.]

The gentleman from Kansas [Mr. CAMPBELL], the chairman of the great Committee on Rules, for 12 long months had the authority to bring into this House a bonus bill when it was pos-

sible to pass it and put it upon the statute books; but lo and behold, he waits until the very closing hour of the session. When the play is over and the curtain is just about to fall, the gentleman rushes upon the stage, his classic countenance aglow with patriotic ardor and passion for the soldier, and says, "Hold up, Mr. Speaker; do not adjourn." Another John Paul Jones has appeared upon the scene who waits until the ship is sinking before he begins to fight. [Laughter and applause and cries of "Vote!"]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. TREADWAY. Mr. Speaker, I am opposed to this bill for three principal reasons. First, it contains a so-called cash bonus; second, it makes no special provision for the disabled, the wounded, the sick, the widows and orphans of the dead; third, it offers an unfair tax provision.

The first reason is my strongest one for disapproval. When this bill was first proposed it was called a bonus bill. That title of itself was so objectionable that it then became known as an adjusted-compensation bill. Neither title did other than insult the soldiers. My title for this bill would rather be a bill debasing patriotic service to commercial value. [Applause.] That is what it is; nothing else. You insult the soldier if you put it on a commercial basis, and say that he should only receive \$1 more than the man who works in the shop. If there is any equalization, it should be at the rate of not less than \$5 per day in the service. It does absolutely nothing extra for the sick or the wounded. Those are the ones, and their widows and children, the ones whose husbands and fathers lie buried on foreign soil, in whose behalf the taxpayers of this country stand ready to-day to go the limit. You can camouflage the tax argument in any way you wish. You can say that this form of taxation is most easily raised. It may be, but, nevertheless, it comes back upon the American people. They will pay this billion and a half of dollars. They are the ones who are to-day clamoring for less taxation. We here to-day are giving them more taxation. Is that the answer you make to the American people? [Applause.]

Mr. GARNER. Let me ask the gentleman from Michigan how many speeches he has on that side? There are only two more on this side, and I have only four minutes left.

Mr. FORDNEY. I will use some of my time. I yield one minute to the gentleman from Montana [Mr. EVANS].

Mr. EVANS of Montana. Mr. Speaker and gentlemen of the House, I am for a bonus for the soldiers. I am for this particular bill because I can not get any other bill. I voted for the rule. I voted to table the appeal from the ruling of the Speaker for the purpose of getting something before this House.

Here is a bill of 45 pages that nobody has read, a bill that takes a billion and a half of money from the American people; brought in under a rule that allows only 40 minutes' debate, the equivalent of six seconds to each Member on this floor, a rule that forbids amendment; not an "i" can be dotted or a "t" crossed. This bill in its present form must be passed or the whole question of a soldiers' bonus must go into the discard. Mr. Speaker, not in the history of a legislative body in the world was there ever such a display of fraud, sham, and hypocrisy as has been exhibited in this matter. It was never the intention to pass this or any other bonus bill; it is, not the intention to pass it now. If the political party in control of this House was acting in good faith in this matter, this or some other bill would have been brought here in the regular way, open for debate, open for amendment, change, and perfection. Ah, the majority party leaders say, "The rules of the House would not let us bring it up that way" or "The parliamentary situation is such that it would be killed." What sham, what fraud, what hypocrisy. What buncombe you are trying to feed the American people. What do they care about your rules? What do they know or care about your parliamentary situation. They did not send us here to make gag rules or to create complex parliamentary situations. They sent us here to legislate for the welfare of the country. Who made these sacred rules that you say bind us hand and foot? Did they come down from heaven—were they written by Moses on a tablet of stone, to be obeyed and observed through all the ages?

This House made the rules and it can change them or annul them. If the political majority can not do it the numerical majority can and should do it. Is the steering committee or the Rules Committee so all powerful that they can bind and gag 435 men in this House? What a fake, what a joke, to try thus to impose on the people of the Nation. The Members of this Congress may be gullible enough to believe such a thing, but not the people of the country. The chairman of the Rules Committee says if the matter were opened for debate and amendment the opponents would defeat the measure. They might defeat this iniquitous thing you have laid before us, but I deny

that they would defeat a genuine bonus bill; they would amend and change this bandy-legged hybrid sired by the steering committee and born of the Rules Committee; but they would support any bill that does justice to the soldier and the taxpayer. The distinguished chairman of the Rules Committee charges that the Democrats are hiding behind a barrage and demands that they come out. Mr. Speaker, when the final vote is taken, even under these gagged conditions and for this undigested measure, I venture the proportion of Democrats supporting this bill will be as large as Republicans. There are individual Democrats against any bonus legislation, just as there are individual Republicans, but I deny that a majority of either party is against a reasonable, just, and equitable bill. With those gentlemen who openly oppose a bonus I have no quarrel, but I have only contempt for the petty political pettifoggery that has been and is now being carried on by a lot of men who are publicly pretending to do something for the soldiers, when in truth they are playing a bunco game to get the soldiers' votes. It is not that they want to do something for the soldiers; they want the soldiers to do something for them. I have not the slightest doubt, Mr. Speaker, that 60 to 70 per cent of the membership of this House in each party desire and would vote for a genuine and just bonus bill if given the opportunity.

The difference between the political parties as to how to raise the money to pay such a bonus is fundamental and irreconcilable. The Democratic Party believes the money should be raised by a tax on war profits, on excess profits, on stock dividends, a system of taxes that will make the profiteers who both during the war and since have made unconscionable profits out of the American people, and who still continue to bleed the masses white, contribute a part of these profits to pay this bonus. The Democrats further believe should such a tax be laid the great American people might be relieved of the humiliating spectacle now taking place in this country of the Presidency of the United States being sold on the auction block to the highest bidder like the useless and discarded throne of the Kaiser. [Applause.] A half million dollars contributed by one multimillionaire, who says he is willing to advance as much more as necessary to nominate his favorite. What a spectacle!

Emboldened by success in the recent purchase of a seat in the Senate, they now brazenly go out to buy the Presidency. No, no; the Proctors and the profiteers must be protected by the Republican Party. Where else can they look for the purchase price of the Presidency but to them? Your party first proposed a sales tax on all consumption, hoping to get the money from the bare backs and empty bellies of the people, but be it said to the credit of a minority of your own party in this House, who joined with the Democrats, that infamous proposal was driven into outer darkness. Defeated in that nefarious proposal, you now present this measure and exclaim in mock righteousness that the Democrats are opposed to a bonus bill. You purpose to go before the country this fall and tell the people how this hybrid was born of patriotic fervor and love for the soldier, when in fact you know it is a sham and a fraud, gotten up for purposes of deception. Your first thought is to get the votes of these soldiers, and your second thought is to protect your profiteering millionaire friends that they may in turn furnish the campaign funds to get other votes. [Applause.]

Instead of declaring in mock heroic tones that the Democratic Party is opposed to a bonus bill, let the Republican steering committee and the Republican Rules Committee come out of their dugout, where, shielded by a smoke screen, they have already stupefied and paralyzed this House with poison gas. [Applause.] Their dictatorship, for the time being at least, has reduced this Congress to absolute impotency.

I want to say that I think the situation in this House is absolutely reprehensible. I think it is an outrage upon the American Congress and the American people that the situation has become such that 435 men in this House are nothing more nor less than so many eunuchs in the harem presided over by those exalted sultans—the steering committee and the Rules Committee of this House. [Applause and laughter.] I want a genuine bonus bill. I will vote for this bill because I can not get anything else. [Applause and laughter.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, my sympathies always go out to the under man in the battle of human life. There were a good many millionaires made as a result of this war. To say nothing of the hundred thousand dead who sleep across the ocean, there were many thousand human frames that were mangled and shattered, many hearts broken and many that are still bleeding as a result of this World War, and many who are

still suffering for lack of the help of those who were the victims of that awful struggle. I have the highest regard for the men whose frugality, industry, and fortunate investments acquired enough of this world's goods to make them and their dependents comfortable and happy, but I believe that these should aid in binding up the wounds and soothing the sufferings of those who made these sacrifices in order that property rights and the liberties of our people might be perpetuated, and I can not believe that there is a patriotic citizen in Kentucky who is unwilling to do something to help our soldier boys in starting life anew and getting on their feet again. We can never fully repay them for what they did, but I am going to vote for this bill, not because it does as much for them as they deserve but because it is a step in the right direction and the best that we can do under existing conditions. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, there has been allowed only 20 minutes for debate altogether for those in favor of this bill. I thank Mr. FORDNEY, chairman of the Committee on Ways and Means, for the courtesy in granting to me a little time to say a few words in behalf of the World War soldiers and sailors. I introduced a bill something like a year ago granting relief to these soldiers and sailors. This bill does not give quite as much as my bill provided, but feeling that this is the best bill that we can get under all the circumstances I wish to say that I propose to vote for it and do all I can to secure its passage in this body and in the Senate. Who are in favor of this adjusted pay for the American soldiers and sailors? The American Legion, the World War Veterans, private soldiers and sailors' organization, the Welfare Association, a large percentage of the common people, and a big majority of the membership of this House. Who are against it? Practically every one of the 23,000 men who were made millionaires during the war and because of the war, the Tobacco Trust, the Beef Trust, the Oil Trust, the Steel Trust, the Sugar Trust, practically every big trust and interest of the country, the war profiteers, the fellows who had the cost-plus contracts and made hundreds of millions during the war, Wall Street—they are all against it. The big newspapers of the country, representing the big interests of the country, are denouncing the American soldiers and sailors as "looters of the Treasury" and "mercenary patriots." The most of the money provided for this relief will have to be paid by the big interests and men who made billions out of the war. They are kicking because of the taxes they will have to pay. This will not hurt but will benefit the common people of the country.

THEIR CLAIM IS JUST.

I favor this relief legislation, because I believe it is just and right. But for the wonderful courage, patriotism, and self-sacrifice of the World War heroes we would be paying forty times as much "bonus" to the Huns. We took these boys away from their business, their profession, their homes, and their native land and put them into the water and mud of the trenches and the dangers and perils of battle at \$30 per month. They paid \$7 per month for insurance, and many of them made an allotment of \$15 per month, and they were left with about \$8 per month. They could have made at home from four to fifteen dollars per day. Some men and concerns who are kicking against this bonus made \$10,000 per day. The Government paid the same character of men in building camps, and so forth, under the cost-plus plan from six to fifteen dollars per day, and a Democratic Congress voted to the highly paid clerks and other employees of the Government who were sitting on easy chairs with short hours and receiving from one thousand to twenty-five hundred dollars per year a bonus of \$240 a year. They have been receiving this for two years—\$480. This is more than the soldiers will average with the bonus. We called the boys. They went forth and saved our homes and all of these big interests and protected these men and their big interests, while they were making billions of dollars. Now, I am in favor of conscripting some of these war profiteers' dollars in order that the American soldier may receive at least half what he would have received as a common laborer in this country during the war. [Applause.] When I hear the big rich newspapers, the big war profiteers, the big war contractors, and the men and concerns who were made millionaires out of the war denounce the men who saved this country at less than \$1 per day as "looters of the Treasury" and "mercenary patriots" I am filled with indignation. I plead for justice and a square deal and nothing more for them. [Applause.]

Mr. FORDNEY. I yield one minute to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, for one I shall vote for this bill with a glad heart and a clear conscience. I shall vote for

it without any misgivings as to the results which will follow its enactment into law. I shall vote for it as a matter of justice to our former service men. I shall vote for it because it represents an effort on the part of Congress to give recognition to the men who fought and won our battles in the great World War, and I shall vote for it because I believe it will strengthen our Nation, contribute to the perpetuity of our free institutions, and add glory to the flag which our soldier boys carried to victory. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Speaker, I am for this bill without reservation or secret evasion of mind.

In the spring and summer of the year of our Lord 1917, in the hamlets, villages, and cities of this broad land, the soldiers were being mustered in, leaving home, going to the war. The bands were playing and the local orators were haranguing the boys, telling them what great fellows they were. These orators, with eyes turned to heaven and swimming in tears, said, "Boys, when you come back, there will be nothing too good for you. Everything is yours. We will stand by you through thick and thin."

Well, the boys sailed away, and when the war was over we found 50,000 of them were killed in battle, 50,000 more had died of disease, 100,000 additional were wounded and maimed. Many of them must suffer for life, and now, when we bring up this little bill, we find the profiteer trying to escape with the swag, moaning and groaning, and telling us that the bill is bad.

While I am trying to speak the Members of the minority, largely from the South, are trying to drown my voice because they think that the colored soldier will take something under the bill.

In America, "the land of the free, the home of the brave," all stand equal. All, irrespective of race or religion, are equals. No stockbroker or profiteer has a halter about my neck. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Washington [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I am in favor of this bill because I believe in justice to the soldier, and this bill will become a law unless it is vetoed by a Democratic President. [Applause.]

Mr. Speaker and gentlemen, it had long been my hope that real, substantial justice might be done the soldier at a time when it would do him the most good, and that still further than doing justice, the Nation might show, in at least a small degree, its appreciation of the soldier and his work. But it takes but a brief period of service here to be brought to a keen realization that no one Member can find his personal views and desires woven into the law of the land. Conflicting opinions and judgments must be reconciled and adjusted if we are to progress at all. This measure represents the best that can come out of the existing mass of varying and in some cases positively adverse and opposite views. I for one am not satisfied as to amounts, the enumeration of excepted classes, nor all forms of taxation by which the necessary funds are to be raised. Some of the sources are all right.

It is my idea that every form of war profits possible to be taxed should be taxed. Our only limit in this direction should be the legality of the taxing power. Thousands of fortunes have been made out of the profits of this war and the foundations of thousands more laid, every one of which came from the excessive gains and advantages on war contracts. I am not in favor of abolishing the rights of property of any man, but I am in favor of taking through the medium of taxation such portion of these ill-gotten gains wrung from the American people in the exigencies of war as will be sufficient to meet legitimate Government expenses. The dark pages of this war, which serve to dim the glory of the bright ones, are those which tell us of the fortunes built up during the period of the war. These profiteers who grew rich out of the Nation's stress, who took advantage of the world-wide struggle, should now be forced to the bar of justice to see what portion of their gains was right and what portion was wrong.

Every soldier who went to war returned a poorer man than when he left; everyone who stayed at home and took advantage of the high wages was better off at the close of the war than he was at the beginning. Every man with a war contract counts his profits by the millions and thousands, where in peace he counted them in dollars and cents.

Is it fair, between man and man, that the soldier, in addition to the personal hazards of war, should be made to suffer financially by reason of his service? Everybody but the soldier grew fat and financially comfortable.

We have compensated most every man who had a claim against the Government. Completed as well as incomplete contracts were liquidated; even the rushing, pushing fellow with the "informal" contract has been paid—everybody except the soldier who fired the guns and stopped the bullets.

We all know no nation can pay its soldiers full compensation for the risk of war; no nation ever did or ever will. The nation's battles must be fought by its patriotic men, who jump into the field prompted by the high call of duty. We can not pay in full even those who returned without wound or scar, but we can show our gratitude by a kindly, practical act; we can do by him a small degree of justice. I only wish the amount was more. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, I voted for war. I voted for the selective draft. I saw thousands of young men, making up the manhood of America, leave our shores to go to France to fight to uphold that which we maintained must be upheld regardless of expense, namely, the freedom of the seas. Later on I saw these same boys in battle upon the other side. I had been probably the only Member of the House of Representatives who had actually seen and been on board one of the first ships which left our country to carry America's best to the other side. That was two months after we had declared war. Later, I saw thousands of other men who had either volunteered or answered the call of duty under the selective-draft law leave our shores. In Europe I saw how our boys in many instances made the supreme sacrifice, and my eyes will never forget those terrible scenes of men wounded, others crippled, and others being buried.

There are some people here whose sole and underlying thought while the war was on was the accumulation of wealth. Many of their next of kin found soft places at home. On the other hand, there were sons of great men who gave to the Nation all that they had when the war was on. Many voices were raised urging our people to buy Liberty bonds, encouraging patriotism, and arousing others to herculean efforts to help win the war. Upon the lips of men one could hear the constant cry that when the boys came back there would be nothing too good for them.

Others who went through the struggle and came back found that many of their pals, friends, and relatives who had not answered the call, or who for some reason or another had been permitted to continue work in factories and shipbuilding yards, had grown fat with prosperity, while the veteran had given even his life for a dollar a day.

Our brave boys entered the service with only one thought—that was to give their lives to save the Republic. Solemn as their duty was and fully recognizing that they might not return, they showed courageous faces when saying good-by to their next of kin. They felt that surely while they were in the dug-outs of France those who were being left in America would be prepared to make sacrifices, the same as they were making.

Upon their return home what did they, our brave boys, find? They discovered that the cost of living had been permitted to rise beyond comparison; that every tax which had been laid upon a manufacturer, middleman, and retailer had been passed on to their next of kin, with an additional profit. They beheld, also, that nobody at home had had any other thought, apparently, except to see how much money could be had from the Treasury of the United States.

No wonder, then, their amazement grew into wrath! They felt that they were the only ones who had given their most to the Republic.

In addition, the Government failed lamentably in taking care of the wounded, the crippled, and the maimed. Its lack of efficiency in paying allotments had become a public scandal. All of those things made the ex-soldiers feel that they had been unjustly treated.

Not every veteran will apply for the adjusted compensation. Each man must determine this question for himself. I do not believe that this is the fairest bill either to the veteran or to the taxpayer. No one likes to pay taxes. Our method of taxation has never done justice and never will. Our methods of taxation were failures during the war, as we can readily see by the 33,000 millionaires that the war created.

I am firmly of the opinion, and I say so advisedly, that the attempt made through this legislation to satisfy in some small degree the men who are the mainstay of our country will be a very small cost compared to the feeling of dissatisfaction which the failure to enact it is bound to cause.

Let some of those who are opposing this legislation answer the question as to whether they themselves would have made the sacrifices upon the fields of France in the face of the most terrible conditions and under the grave hardships which our

men underwent, and ask themselves whether they do not believe that those men are getting a small recompense compared to what men got who remained here. They did not fail us in the time when we needed them, and we must not fail them now. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Speaker, the question that the Members of this House will be called on to decide to-day by their votes is whether or not the men who went into the service and fought for this Nation's flag are worth less per day than the men who stayed at home. This Congress drafted the young men of this country, set their salary at \$30 per month, and sent them to fight its battles, and then paid out of the Treasury to the men who were not drafted from \$3 to \$10 a day. [Applause.] I will vote to pay additional compensation to the men who fought for us at \$1 per day. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from North Dakota [Mr. BAER].

Mr. BAER. Mr. Speaker, the only question that can be raised in regard to this measure is whether the service of wealth is worth more than the service of a human being. Congress voted for \$3,000,000,000 for the illegal and informal contracts made during the war, and I think it is just as much of importance that we should give the soldier a fair compensation. You gave a bonus to wealth; that side (Democratic side) of the House brought in the bill and I voted for it. Thirty-six billion dollars was the cost of war, and \$18,000,000,000 went to make millionaires, 50 cents out of every dollar we spent. Can we not now tax these millionaires and give the soldiers extra pay?

The SPEAKER. The time of the gentleman has expired.

Mr. GARNER. Mr. Speaker, how many speeches does the gentleman from Michigan have remaining?

Mr. FORDNEY. I have three more speeches.

Mr. GARNER. I yield three minutes, Mr. Speaker, to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, there is not a Member in this House, in my opinion, who would not like and be very much gratified to vote for a bill that would in some way help all the service men. We have in the past taken care of the crippled, the maimed, and the disabled, and the dependents of those who died. But if I were to vote for this bill to-day I would be joining in the greatest act of hypocrisy that the Congress of the United States has ever perpetrated. They say that this is to rehabilitate the soldier. You start with the payment of this money 24 months after the soldier has been discharged from the Army, and then you insult him by paying him a paltry sum of 50 cents a day, and string it out over two years.

I want to say to you gentlemen of the South that this 50 cents a day to a man who was not disabled will not be appreciated by him and will not help him, but will keep the cheap labor of the South—the colored labor—out of the fields, and you are not doing anything that the white soldier, uncrippled and unmaimed, in all the Southland will appreciate. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield half a minute to the gentleman from Missouri [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I shall limit my remarks to saying that I am for this bill because, in some measure, it seeks to do justice to the American soldier. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, if the soldiers whom we sent to war to serve their country, to do or to die for that country, could witness the spectacle we have had here within the last half hour, I warrant you that their votes would not return a large part of the membership that we find in this House to-day. Your shouts of ridicule at other speakers do you no credit.

You have refused to give men a chance to talk for the soldier boys—men who favor this bill. Who are you that dare do that? Who sent the boys over the seas to war? You did; and a heavy responsibility is yours to-day. Gentlemen, these interruptions do not add dignity to the occasion nor to your own credit. [Applause.] We have worked in the Ways and Means Committee three months to get out the best bill that could be prepared. It is the best bill we could get and is a good measure that deserves your support. The American Legion asks for this bill. They have examined its fourfold provisions since reported by our committee and they are satisfied with it. They know it is the only bill they can get through at this session and they want it. We ask you to give it to them. The distinguished chairman of this committee [Mr. FORDNEY] has worked in season and out of season, patiently and patriotically, for many weeks to prepare this

bill; and, notwithstanding his wealth, with his heart as big as a barrel, he is willing to sacrifice his share for these boys. [Applause.] Do not let us be outdone by him, but let every man follow his example and put through this soldiers' compensation bill. Remember, we have provided a tax on those best able to pay to cover the allowance made these soldiers.

We are not giving the boys compensation. We can not compensate them for the loss of jobs, the loss of school and business plans, the loss of prospects in life, the hundreds of thousands of broken families, men who lost what money can not buy. We know that. We can not compensate them if we took all the money earned by the war profiteers and multiplied it ten times over. No amount of money could compensate for the loss of our American boys who lie buried, 100,000 of them, from far-away Archangel and all over Europe to the Pacific coast of our own country. But we can stand together, Republicans and Democrats, and let us do it on this measure. Let there be no line between us now in politics. These are your boys as well as ours, and we are trying to give them some slight recognition for their sacrifices during the war. One dollar a day in this country or a dollar and a quarter a day across seas is not compensation, but it is an expression of our gratitude for those who fought your battles and mine.

Do you not remember when we patted our boys on the back as they marched away and how we wished them Godspeed when they sailed for France? When they covered themselves with glory at Chateau-Thierry and in the Argonne and all along the battle line, when they threw back the best Prussian troops that the world had ever known, we gloried in their victories. They destroyed a world's military despotism. They did their work well and they came back, leaving thousands of their comrades buried in France—they came back, and after serving for \$30 a month throughout the war, protecting your property from demands of German indemnity through winning the war, this little offering is proposed for them. We know it is not compensation, but it is the best we can offer. It is what they will and should accept, not as a matter of sympathy or gift but as a matter of simple justice.

We ask you who represent the great American people at this time, you who speak the heart of that people, you who represent the people of this the richest country in the world—a country that is able to pay and is grateful—we ask you to give these boys that to which they are entitled, not as a gratuity but as a slight acknowledgment of our debt. We wish we could give many times more, but it is the best measure we can agree upon and it expresses our gratitude. Let us all unite and pass this bill unanimously. Do not make a joke of this matter any longer, as many of you have attempted to do. Speakers have complained it is not enough to give. In nearly every case they have opposed any amount heretofore. If in the future you want to do more, you can do more; but now let us, as Members of this great House, act ungrudgingly. Let us all unite together and pass this bill. [Applause.]

Mr. GARNER. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois [Mr. HENRY T. RAINY]. [Applause on Democratic side.]

The SPEAKER. The gentleman from Illinois is recognized for two minutes.

Mr. HENRY T. RAINY. Mr. Speaker, during the illness of the gentleman from North Carolina [Mr. KITCHIN] I am the ranking Democratic Member on the Ways and Means Committee, and I am allowed two minutes in which to close this debate—a debate which involves a charge on the Treasury of \$5,000,000,000 at the very least—the greatest taxing bill in the history of nations. This debate has been a farce in this House—a farce which only Republicans and Republican steering committees are capable of staging.

This is a service pension, as my colleague from Illinois has stated. Talk about giving the soldiers a dollar and a quarter a day or a dollar and a half a day, as they have demanded, in cash. This is what you give them: You give those who accept the cash option a service pension, commencing one year one month and two days from this date. Those who served the longest in the war will get 55 cents a day for two years and six months. Over 2,400,000 men served less than 210 days. Deduct 60 days from that service, as this bill requires, and that leaves 150 days. You give to these men for two years and a half, commencing a year from this day, 15 cents a day. Five hundred thousand of these men will get, if they accept the cash option, commencing with July 1, 1920, 7 cents a day. They will get enough money, if they buy the cheapest kind of cigarettes, to buy three cigarettes a day. That is Republican generosity for you.

This is not our baby. It is yours. You can not lay it on our doorstep. This is a gold brick that you are handing the

soldiers. The Democrats have not helped to make this bill, and you know it, except the section that taxes stock dividends, and we put that in. This is a gold brick—a gold brick which will be passed upon in the elections which are about to ensue. You know the Senate is not going to pass this bill. You know it is not going to become a law. In order to keep them from leaving this baby on our doorstep and to show up the hypocrisy of the Republican Party, I ask every Democrat who conscientiously can do so to vote for this bill you can not defend in the approaching national campaign—that job belongs to the Republican Party. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINY. Mr. Speaker, I have a request to propose: I ask unanimous consent that my time be extended for 10 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that his time be extended for 10 minutes. Is there objection?

Mr. MURPHY (and others). I object.

Mr. HENRY T. RAINY. All of the objections are from the Republican side.

Mr. MONDELL. Mr. Speaker, I demand the regular order.

Mr. HENRY T. RAINY. Mr. Speaker, I have another request that I desire to propose; I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. MURPHY (and others). Mr. Speaker, I object.

Mr. HENRY T. RAINY. I note that every objection is on the Republican side.

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] is recognized for four minutes. [Applause.]

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I am glad to see that so many gentlemen of the House seem to be in favor of this bill. To discredit this bill, one gentleman has said it does nothing for the wounded. He is mistaken. This bill benefits the wounded and the well alike, and is, in addition to other provisions of law, enacted for the special benefit of the disabled.

At the beginning of this war and during the time when our boys were going abroad, every man in this House accompanied some soldiers in his own home or in this city to the train, stepping to the beat of the drum and the blare of a horn, waving hats and flags and shouting, "Good-by, boys; remember we are with you as long as there is a button on your coat; give it to the enemy." That is what you said; and the boys did give the enemy a full measure and more. Let me read to you a little poem which in my opinion is timely. It is entitled "Backing up Bill."

There wan't many fellers went over th' sea,
Along with Bill.
Th' "Dutch," they laughed, ez they seen 'em come,
With the blare uv bugle an' tap uv drum,
They kinda fergot, though th' men wuz few—
They carried th' ole Red, White, and Blue,
An' where it waves there's follerin' still,
Ten million men t' back up Bill.

Th' President said, ez they sailed away,
"Hold 'em, Bill!"
Git out in front, where th' fightin's hot
Show 'em th' kind uv men we got.
Th' food is coming, an' ships an' guns—
You'll need 'em all t' beat th' Huns.
I haven't fergot—an' I never will—
Th' promise I made t' back up Bill.

Oh, how soon some of us forget.

You and I voted for \$40,000,000 for bonuses to Government clerks who receive pay up to \$2,500 per year for seven hours and fifteen minutes work a day in a cushioned chair. Are we consistent if we vote against this bill?

Did the boys who went abroad go for their own defense alone? No. They went "over there" to defend you and me from the enemy's bullets.

They went "over there" to defend your property and my property, and they did it well, and they came back with honor, honor never more deserved by any men who ever fought on any battle field. [Applause.] Can you now decline to come forward and pay a little something to those poor fellows who suffered everything? I believe not. My secretary served 368 days overseas in a combat division that participated in four major operations. In his year of service over there they were 158 days in action. They were in places for weeks at a time where the only available water was unfit to drink. There were numerous days when demolished roads and confusion prevented the bringing up of food. Often the only sleep they had was the sleep of exhaustion. For them the days were days of horror and the nights

were nights of dread. They did this for us. What can we do for them? [Applause.] Can you now, when the boys come home and find their bank account depleted, refuse to vote them this small measure of compensation when your neighbor who remained at home received from five to ten, fifteen, and twenty dollars a day working in munition factories and in the shipyards. Many of these soldier boys when mustered out did not have enough money to buy a suit of civilian clothes. Who is there within the sound of my voice or in this land of peace and plenty who can refuse to vote to give this small portion of the great wealth that the people accumulated through the sacrifices and at the expense of those boys? [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Michigan to suspend the rules and pass the bill.

Mr. HENRY T. RAINEY. Mr. Speaker, I demand the yeas and nays.

Mr. MONDELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 289, nays 92, not voting 46, as follows:

YEAS—289.

| | | | |
|-----------------|------------------|-------------------|-----------------|
| Almon | Fairfield | Lee, Ga. | Robinson, N. C. |
| Anderson | Ferris | Leshner | Robison, Ky. |
| Andrews, Md. | Fields | Linthicum | Rodenberg |
| Andrews, Nebr. | Fisher | Little | Romjue |
| Anthony | Focht | Loneragan | Rose |
| Ashbrook | Fordney | Longworth | Rouse |
| Aswell | Foster | Luhling | Rubey |
| Ayres | Frear | McAndrews | Sabath |
| Babka | French | McArthur | Sanders, Ind. |
| Bacharach | Fuller, Ill. | McClintic | Sanders, La. |
| Baer | Gallagher | McCulloch | Sanders, N. Y. |
| Bankhead | Gallivan | McGlennon | Schall |
| Barbour | Gandy | McKenzie | Scott |
| Barkley | Ganly | McKeown | Sells |
| Begg | Gard | McKinley | Siegel |
| Bell | Garland | McKinley | Sims |
| Benham | Godwin, N. C. | McLane | Sinclair |
| Benson | Goldfogle | McLaughlin, Mich. | Sinnott |
| Bland, Ind. | Goodwin, Ark. | McLaughlin, Nebr. | Slemp |
| Bland, Mo. | Goodykoontz | McPherson | Smith, Idaho |
| Blanton | Graham, Ill. | MacCrate | Smith, Ill. |
| Boies | Green, Iowa | MacGregor | Smith, Mich. |
| Bowers | Greene, Mass. | Madden | Smith, N. Y. |
| Brand | Griest | Maher | Stegall |
| Briggs | Griffin | Major | Stedman |
| Britten | Hadley | Mapes | Steenerson |
| Brooks, Ill. | Hamill | Mays | Stephens, Ohio |
| Brooks, Pa. | Hamilton | Mead | Stiness |
| Browne | Hardy, Colo. | Michener | Strong, Kans. |
| Brumbaugh | Harrel | Miller | Strong, Pa. |
| Burdick | Harrison | Milligan | Summers, Wash. |
| Burke | Haugen | Minahan, N. J. | Sweet |
| Byrns, Tenn. | Hawley | Monahan, Wis. | Swope |
| Caldwell | Hays | Mondell | Tague |
| Campbell, Kans. | Hersey | Mooney | Taylor, Ark. |
| Candler | Hickey | Moore, Ohio | Taylor, Colo. |
| Caraway | Hill | Morgan | Taylor, Tenn. |
| Carew | Hoch | Morin | Thomas |
| Cars | Hoey | Mott | Thompson |
| Casey | Howard | Mudd | Timberlake |
| Chindblom | Huddleston | Murphy | Tincher |
| Christopherson | Hudspeth | Neely | Towner |
| Clark, Mo. | Hull, Iowa | Nelson, Mo. | Upshaw |
| Classon | Hull, Tenn. | Nelson, Wis. | Vaile |
| Cooper | Hutchinson | Newton, Mo. | Vare |
| Copley | Igoe | Nolan | Vestal |
| Cramton | Ireland | O'Connell | Vinson |
| Crisp | Jacoway | O'Connor | Voigt |
| Crowther | James | Ogden | Volstead |
| Cullen | Jeffers | Oldfield | Walters |
| Currie, Mich. | Johnson, Ky. | Olney | Watkins |
| Darrow | Johnson, S. Dak. | Osborne | Watson |
| Davey | Johnson, Wash. | Palge | Weaver |
| Davis, Minn. | Jones, Pa. | Phelan | Webster |
| Davis, Tenn. | Juul | Porter | Welling |
| Dempsey | Kearns | Pou | Welty |
| Denison | Keller | Purnell | Wheeler |
| Dickinson, Mo. | Kelley, Mich. | Quin | White, Kans. |
| Dickinson, Iowa | Kelly, Pa. | Radcliffe | White, Me. |
| Donovan | Kennedy, R. I. | Rainey, Ala. | Williams |
| Dooling | Kless | Rainey, H. T. | Wilson, Ill. |
| Doughton | Klinchloe | Rainey, J. W. | Wilson, La. |
| Dowell | Kling | Raker | Wilson, Pa. |
| Dunbar | Klinkaid | Ramseyer | Wingo |
| Dunn | Klecza | Randall, Calif. | Wise |
| Dyer | Knutson | Randall, Wis. | Wood, Ind. |
| Eagan | Kraus | Reavis | Woodyard |
| Echols | Kreider | Reber | Wright |
| Elliott | Lampert | Reed, N. Y. | Yates |
| Emerson | Langley | Reed, W. Va. | Zihlman |
| Esch | Larsen | Ricketts | |
| Evans, Mont. | Layton | Riddick | |
| Evans, Nebr. | Lazaro | Riordan | |

NAYS—92.

| | | | |
|---------------|-----------|---------------|-----------------|
| Ackerman | Cannon | Dupré | Hardy, Tex. |
| Ree | Coary | Eagle | Hersman |
| Black | Collier | Fess | Hicks |
| Blackmon | Connally | Flood | Holland |
| Bland, Va. | Crago | Freeman | Humphreys |
| Blox | Dallinger | Fuller, Mass. | Husted |
| Buchanan | Dent | Garner | Johnson, Miss. |
| Burroughs | Dewalt | Garrett | Johnston, N. Y. |
| Butler | Dominick | Glynn | Jones, Tex. |
| Byrnes, S. C. | Doremus | Good | Kahn |
| Campbell, Pa. | Drewry | Greene, Vt. | Lanham |

| | | | |
|-------------|---------------|-----------------|-------------|
| Lea, Calif. | Moon | Ramsey | Temple |
| Leibach | Moore, Va. | Rayburn | Tilson |
| Luce | Moore, Ind. | Rogers | Tinkham |
| Lufkin | Newton, Minn. | Rowe | Treadway |
| McDuffie | Oliver | Sanford | Venable |
| McFadden | Overstreet | Sisson | Walsh |
| Magee | Padgett | Snell | Ward |
| Mann, Ill. | Parker | Steele | Wason |
| Mann, S. C. | Parkish | Stephens, Miss. | Whaley |
| Martin | Pell | Stevenson | Winslow |
| Merritt | Peters | Stoll | Woods, Va. |
| Montague | Platt | Summers, Tex. | Young, Tex. |

NOT VOTING—46.

| | | | |
|---------------|-------------|---------------|----------------|
| Booher | Ellsworth | Kendall | Scully |
| Brinson | Elston | Kennedy, Iowa | Sears |
| Cantrill | Evans, Nev. | Kettner | Sherwood |
| Carter | Goodall | Kitchin | Shreve |
| Clark, Fla. | Gould | Lankford | Small |
| Cleary | Graham, Pa. | Mansfield | Smithwick |
| Cole | Hastings | Mason | Snyder |
| Costello | Hayden | Nicholls | Sullivan |
| Curry, Calif. | Heflin | Park | Tillman |
| Dale | Hernandez | Rhodes | Young, N. Dak. |
| Drane | Houghton | Rowan | |
| Edmonds | Hulings | Rucker | |

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. KENDALL and Mr. HULINGS (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. RHODES and Mr. TILLMAN (for) with Mr. GOULD (against).

Mr. DALE and Mr. CURRY of California (for) with Mr. KITCHIN (against).

Mr. DRANE and Mr. YOUNG of North Dakota (for) with Mr. EDMONDS (against).

Mr. BRINSON and Mr. EVANS of Nevada (for) with Mr. HOUGHTON (against).

Mr. SHREVE and Mr. SHERWOOD (for) with Mr. GOODALL (against).

Mr. HAYDEN and Mr. SCULLY (for) with Mr. ROWAN (against).

Mr. DYER. Mr. Speaker, my colleague Mr. RHODES is absent on official business. If he were here, he would vote for this bill.

Mr. SNELL. Mr. Speaker, the gentleman from New York, Mr. GOULD, was called away on account of serious illness in his family. If he were here, he would vote against the bill.

Mr. ROUSE. Mr. Speaker, my colleague Mr. CANTRILL is away in Kentucky. He desires me to state that if he were here he would vote "aye."

The result of the vote was announced as above recorded.

Mr. GOLDFOGLE and Mr. BAER rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOLDFOGLE. Mr. Speaker, I was about to ask whether or not my colleague Mr. SULLIVAN had voted, but in the confusion that ensued I could not find out.

The SPEAKER. The gentleman did not vote.

Mr. GOLDFOGLE. I desire to say that he is necessarily detained, and that if he were here he would have voted "aye."

BRIDGE ACROSS RED RIVER OF THE NORTH, PEMBINA, N. DAK.

Mr. BAER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4411, and ask that it be passed.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to take from the Speaker's table—

Mr. GARD. What is it about?

Mr. BAER. A permit for a bridge.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table a bill, S. 4411, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4411) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

The SPEAKER. Is there objection?

Mr. WALSH. I would like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 4411) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Pembina, N. Dak., and Kittson, Minn., to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, N. Dak., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BAER. Mr. Speaker—

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SISSON. Mr. Speaker, reserving the right to object, let me ask my friend a question. I could not hear the reading of the bill. Is this bridge bill in the regular form? And has it been approved by the War Department?

Mr. BAER. Yes; and the bill has passed the Senate and has been reported out by the House Committee on Interstate and Foreign Commerce.

Mr. STEENERSON. Mr. Speaker, I wish to say that a part of this bridge is to be built in my district, and it is very urgent.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, is the bill on the House Calendar?

Mr. STEENERSON. Yes.

Mr. BAER. The bill is on the House Calendar.

Mr. GARD. When was it put there?

Mr. BAER. I made a motion day before yesterday to have it put on there. The material for this bridge—the steel and everything—is on the ground.

Mr. GARD. I am not objecting to the bill. I wanted to understand the parliamentary status, as to whether the gentleman is entitled to bring it up or not.

Mr. BAER. By unanimous consent I can bring it up. It is on the calendar.

The SPEAKER. The gentleman asks unanimous consent for the consideration of the bill S. 4411. Is there objection?

Mr. MANN of Illinois. Reserving the right to object—and I shall not object, of course—I would like to make a parliamentary inquiry.

The House having by rule adopted to-day set apart the next five days after this upon which motions to suspend the rules shall be in order, are not those five days Unanimous Consent Calendar days, and will not the regular order be the calling of the Unanimous Consent Calendar?

The SPEAKER. The Chair has not considered that question.

Mr. MANN of Illinois. The rule provides that on days when it shall be in order to suspend the rules the Speaker shall immediately after the approval of the Journal direct the Clerk to call the bills which have been for three days upon the Calendar for Unanimous Consent. Of course that does not interfere with conference reports, which are highly privileged under the rule. But is there any order of business which can take away the calling of the Unanimous Consent Calendar now except motions to suspend the rules? I will not ask the Chair to pass upon that question. I do not object.

The SPEAKER. The Chair will consider that.

Mr. MANN of Illinois. But that is the situation.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BAER]? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill was again reported.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BAER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

H. R. 10072. An act to provide for the punishment of officers of the United States courts wrongfully converting moneys coming into their possession, and for other purposes;

H. R. 12626. An act for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along the Snake River in the State of Idaho under an erroneous survey made in 1883; and

H. R. 14100. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3184. An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes; and

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12775) to amend an act entitled "An act making further and more effectual provisions for the national defense and for other purposes," approved June 3, 1916.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. J. Res. 336. Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920;

H. R. 1309. An act for the relief of Perry L. Haynes; and
H. R. 7158. An act to provide for the expenses of the government of the District of Columbia.

NATIONAL BUDGET SYSTEM—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the bill H. R. 9783, the budget bill.

The SPEAKER. The gentleman from Iowa calls up the conference report on the budget bill, which the Clerk will report.

The Clerk read as follows:

Conference report on the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

Mr. GOOD. Mr. Speaker, I ask that the report be read, as it is about the same length as the statement and will give the Members a better idea of what is in the agreement.

The SPEAKER. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"TITLE I.—DEFINITIONS.

"SECTION 1. This act may be cited as the 'budget and accounting act, 1920.'

"SEC. 2. When used in this act—

"The terms 'department and establishment' and 'department or establishment' mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

"The term 'the budget' means the budget required by section 201 to be transmitted to Congress;

"The term 'bureau' means the bureau of the budget;

"The term 'director' means the director of the bureau of the budget; and

"The term 'assistant director' means the assistant director of the bureau of the budget.

"TITLE II.—THE BUDGET.

"SEC. 201. The President shall transmit to Congress on the first day of each regular session the budget, which shall set forth in summary and in detail:

"(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

"(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals, if any, contained in the budget;

"(c) The expenditures and receipts of the Government during the last completed fiscal year;

"(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

"(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

"(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

"(g) All essential facts regarding the bonded and other indebtedness of the Government; and

"(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

"SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

"(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

"SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

"(b) Whenever they reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation as he may deem necessary.

"SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations, and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

"(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

"SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

"SEC. 206. No estimate or request for an appropriation, and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

"SEC. 207. There is created a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director. The Secretary of the Treasury shall be the director, and the assistant director shall be appointed by the President. The assistant director shall receive an annual salary of \$10,000 and shall perform such duties as the President may designate. During the absence or incapacity of the director or during a vacancy in the office of director, the President shall designate the Acting Secretary of the Treasury or the assistant

director to act as director. The bureau, as may be directed by the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

"SEC. 208. (a) The director or assistant director, as may be determined by the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office as Congress may from time to time provide.

"(b) No person appointed by the director or assistant director shall be paid a salary at a rate in excess of \$5,000 a year, and not more than four persons so appointed shall be paid a salary at the rate of \$5,000 a year.

"(c) All employees in the bureau whose compensation is at a rate less than \$5,000 a year shall be appointed in accordance with the civil service laws and regulations.

"(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the bureau.

"SEC. 209. The Bureau shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports, or any part thereof, with his recommendations on the matters covered thereby.

"SEC. 210. The bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before January 1, 1922, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

"SEC. 211. The powers and duties relating to the compiling of estimates, now conferred and imposed upon the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury, are transferred to the bureau. The Secretary of the Treasury may transfer to the bureau, at the rate of compensation received by them when this act takes effect, any officers or employees of such division who, in his opinion, are essential to the work of the bureau. The positions thus vacated shall not be filled and the appropriations therefor for the fiscal year ending June 30, 1921, shall lapse.

"SEC. 212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

"SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine any books, documents, papers, or records of any such department or establishment.

"SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

"(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

"SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do the President shall cause to be prepared such estimates and data as are necessary to enable him to include, in the budget, estimates and statements in respect to the work of such department or establishment.

"SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of

any department or establishment, shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

"Sec. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$225,000, to continue available during the fiscal year ending June 30, 1921.

"TITLE III.—GENERAL ACCOUNTING OFFICE.

"Sec. 301. There is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1920. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

"Sec. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general or during a vacancy in that office shall act as comptroller general.

"Sec. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress, after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for appointment to either of such offices. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

"Sec. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1920.

"Sec. 305. Section 236 of the Revised Statutes is amended to read as follows:

"Sec. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office."

"Sec. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

"Sec. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments, instead of by warrant.

"Sec. 308. The duties now appertaining to the Division of Public Monies of the office of the Secretary of the Treasury so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury.

"Sec. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments,

and for the administrative examination of fiscal officers' accounts and claims against the United States. He shall submit periodically to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

"Sec. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1920, but the then incumbents of those offices shall be transferred, at their present salaries, to become officers of the general accounting office. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

"Sec. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

"(b) All such appointments, except to positions carrying a salary at a rate of more than \$5,000 a year, shall be made in accordance with the civil-service laws and regulations.

"(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than \$6,000 a year, and not more than four persons shall be paid a salary at a rate of more than \$5,000 a year.

"(d) Until March 5, 1921, no person who at the time of the passage of this act holds office as one of the six auditors, and who in pursuance of section 310 is transferred to the general accounting office, shall be removed from office or have his compensation reduced, except for cause.

"(e) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

"(f) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

"(g) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

"Sec. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

"(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

"(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

"Sec. 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general, or any of his assistants or employees when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

"SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

"SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1921, for the offices of the Comptroller of the Treasury and the six auditors are transferred to and made available for the general accounting office.

"(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

"(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1921, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1920, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

"(d) During the fiscal year ending June 30, 1921, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

"SEC. 316. The general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1921, if otherwise entitled thereto.

"SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years, shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the general accounting office.

"SEC. 318. This act shall take effect July 1, 1920, but appointments to offices herein created may be made prior to that date, to take effect July 1, 1920."

And the Senate agree to the same.

JAMES W. GOOD,
P. P. CAMPBELL,
MARTIN B. MADDEN,
JOSEPH W. BYENS,
JNO. N. GARNER,

Managers on the part of the House.

MEDILL McCORMICK,
REED SMOOT,
HENRY W. KEYES,
F. M. SIMMONS,
ANDRIEUS A. JONES,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and independent audit of Government accounts, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

The more important features of the bill, as agreed upon in conference, compared with the bill as passed by the House and as passed by the Senate, are as follows:

THE BUDGET.

It provides in section 201 that the President shall transmit the budget to Congress on the first day of each regular session and specifically defines and enumerates the contents of the budget. This enumeration of contents is in lieu of similar mandatory requirements, stated in more general terms in the House bill, and is more explicit than the requirements contained in the Senate bill.

It provides in section 202 that the President shall recommend to Congress new taxes, loans, or other appropriate action to meet the deficiency, if the budget shows a deficit, or, if it shows a surplus, he is required to make such recommendation as he believes the public interests require. This section is in lieu of corresponding matter contained in each bill but is more specific and definite than the corresponding matter in either of them.

It provides in section 203 that the President may transmit to Congress supplemental or deficiency estimates. This section is in practically the same terms as corresponding matter in both bills. A new paragraph, not in either bill, has been added to section 203, to the effect that if the aggregate or the supplemental or deficiency estimates at any time indicates a deficit, where none was shown in the budget, or increases the deficit shown by the budget, that the President shall make a recommendation to Congress for new loans, taxes, or other action to care for the estimated deficit or the estimated increase in the deficit.

It provides in section 204 that the contents, order, and arrangement of the estimates of appropriations and statements of expenditures and estimated expenditures and the data submitted therewith in the budget shall follow the requirements of existing law. This is in lieu of a similar requirement in the House bill. The Senate bill provided that the Secretary of the Treasury should by regulation prescribe a uniform method of preparing and submitting estimates of appropriations. This authority in the Senate bill superseded the principal existing statutes governing the contents, order, and arrangement of the Book of Estimates.

A new paragraph, not contained in either bill, provides that the present detailed notes of the manner of expenditure of estimates of lump-sum appropriations shall be superseded by similar notes of a more general and informative character. The new paragraph also requires the information in these notes to be furnished for the fiscal year in progress as well as for the ensuing fiscal year and the last completed fiscal year.

It provides in section 205 that the President shall transmit to Congress on the first Monday in December, 1921, and for the service of the fiscal year ending June 30, 1923, only, an alternative budget prepared in such form and amounts and according to such system of classification and itemization as he may deem most appropriate. This section is in lieu of a similar requirement in the House bill, except that in that bill the alternative budget was required to be transmitted for the fiscal year 1922, only, and in the same amounts as the regular budget. The Senate bill did not provide for an alternative budget.

It provides in section 206 that no estimate or request for an appropriation and no request for an increase in any item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any person in the executive branch of the Government except the President, unless upon the request of either House. This section is in lieu of a similar section in the House bill and a similar section in the Senate bill, except that the Senate bill provided that estimates of appropriations or recommendation for raising revenue could be submitted to Congress by any official or employee in the executive branch of the Government, upon request of any committee of either House having jurisdiction over appropriations or revenues.

It provides in section 207 for a bureau of the budget directly under the control of the President of the United States. The Secretary of the Treasury is made the director of the bureau. An assistant director is provided, to be appointed by the President, at a salary of \$10,000 a year, and to perform such duties as the President may designate. This part of the section conforms to corresponding matter in the House bill, except that the Secretary of the Treasury is made the director. The Senate bill established a bureau of the budget in the Treasury Department with a commissioner at \$10,000 a year and two assistant commissioners at \$7,500 each per year, all to be appointed by the President, with the advice and consent of the Senate, and for fixed terms of office.

It further provides in section 207 that the bureau, as may be directed by the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to reduce, revise, and so forth, the estimates of the various governmental agencies. This section conforms to corresponding matter more generally stated in the House bill. The Senate bill required the budget to be arranged and compiled in the budget bureau in the Treasury Department, submitted to and revised by the Secretary of the Treasury, and by him submitted to the President for final revision before its transmission to Congress by the President.

It provides in section 208 for the appointment of employees of the bureau and for its expenses. The details of the section do not differ very materially from the details of corresponding portions of the House and Senate bills, except that employees in the bureau are to be appointed by the director or assistant director, as the President may determine, instead of by the commissioner of the budget bureau as provided in the Senate bill, and instead of by the director of the bureau of the budget,

with the approval of the President, as provided in the House bill. A new paragraph, not in either bill, provides that employees of other executive departments or independent establishments may be transferred during the fiscal year 1921 to the bureau notwithstanding the provision of existing law prohibiting such transfers until after three years of service in the department or establishment from which the transfer is proposed to be made.

It provides in section 209 that the bureau shall make a detailed study of the departments and establishments to enable the President to recommend to Congress what changes he believes should be made in the methods of business and organization of the executive branch in order to secure greater economy and efficiency in the public service. This authority in the House bill was covered in the general powers given the President to prepare the budget. The Senate bill imposed this character of duty upon the budget bureau in the Treasury Department, and required it to include the results of such study in the budget for the consideration of the Secretary of the Treasury and for recommendation thereon by him to the President.

It provides in section 210 that the bureau shall prepare for the President a codification of the laws relating to the preparation and transmission to Congress of estimates of appropriations and statements of receipts and expenditures, in order that he may recommend to Congress the changes he believes should be made in such laws. This section is similar to corresponding matter in both bills, except that the codification required by the Senate bill applied only to laws relating to expenditures.

It provides in section 211 for transferring from the Division of Bookkeeping and Warrants of the Treasury Department to the bureau of the budget the duty of compiling estimates of appropriations and makes provision for the transfer of the employees engaged on that work. This provision was not incorporated in the House bill. The Senate bill provided for the transfer of those duties to the proposed budget bureau in the Treasury Department.

It provides in section 212 that the bureau shall, at the request of any committee of either House of Congress having jurisdiction over appropriations or revenue, furnish the committee such aid and information as it may request. This requirement was not specifically contained in the House bill. The corresponding requirement in the Senate bill did not limit the request to committees "having jurisdiction over appropriations or revenue."

It provides in section 213 that, under regulations prescribed by the President, all departments and establishments shall furnish the bureau such information as it may require, and authorizes the director and assistant director, or any employee, when duly authorized, to have access to the books and records of the departments and establishments for that purpose.

It provides in sections 214 and 215 for the preparation of the departmental estimates and their submission to the bureau of the budget on or before September 15 of each year. These sections, except for fixing a new date on or before which heads of departments must send in their estimates, are substantially a reenactment of the authority and duties existing under present laws. The House bill provides that such estimates should be submitted to the President on a date to be fixed by him instead of on or before October 15 of each year, as now required by law. The Senate bill provided that they should be submitted to the budget bureau in the Treasury Department on or before October 1 of each year; the budget bureau was required to send the budget to the Secretary of the Treasury on or before November 1 of each year; the Secretary of the Treasury was required to submit it to the President on or before November 20 of each year; and the President was required to submit it to Congress on or before December 10 of each year.

It provides in section 216 that the departmental estimates, including supplemental and deficiency estimates, shall be prepared in such form, manner, and detail as the President may prescribe. The House bill did not contain a corresponding section. The Senate bill gave similar authority to the Secretary of the Treasury.

It provides in section 217 for an appropriation of \$225,000 for the fiscal year 1921 for the establishment and maintenance of the bureau as provided for by the Senate bill.

GENERAL ACCOUNTING OFFICE.

It provides in section 301 for the general accounting office, as designated by the Senate bill, instead of the accounting department, as designated by the House bill. The general accounting office is to be an establishment of the Government independent of the executive departments. The offices of Comptroller of the Treasury and Assistant Comptroller are abolished and all other officers and employees of the office of the Com-

troller of the Treasury and the records and property of that office are transferred to the general accounting office. This section is practically identical with similar sections in both the Senate and House bills.

It provides in section 302 for the creation of the office of comptroller general and assistant comptroller general at salaries of \$10,000 and \$7,500 a year, respectively. This section is practically identical with similar matter in the House bill and differs from the Senate bill, which provided for a comptroller general at \$10,000 and three assistant comptrollers general, two at \$7,500 each and one at \$5,000. Section 302 also provides that the assistant comptroller general shall perform such duties as may be assigned by the comptroller general, which corresponds to a similar provision in the House bill. The Senate bill prescribed specifically and in detail the duties which should be performed by each of the three assistant comptrollers general.

It provides in section 303 that the comptroller general and assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress for the causes enumerated in the House bill. Section 303 further provides that whenever either of them attains the age of 70 years he shall be retired from his office. This section practically is identical with similar matter in the House bill. The Senate bill provided a term of office of five years for the comptroller general and the assistant comptrollers general, with the provision that they should be removed only for cause.

It provides, in section 304, for the transfer to the general accounting office of the powers and duties now conferred or imposed by law on the Comptroller of the Treasury, the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to the keeping of personal ledger accounts of disbursing and collecting officers. Section 304 also provides that the balances certified by the comptroller general shall be conclusive upon the executive branch, and the revision by him of settlements made by the six auditors shall be continued, except as to settlements made before this act takes effect. This section is practically identical with a similar section in the House bill, with the exception of the transfer of the duties of the Division of Bookkeeping and Warrants just referred to.

It provides, in section 305, for the settlement and adjustment of all claims and demands by the United States or against them, and all accounts in which the United States are concerned, in the general accounting office instead of in the Treasury Department. This section is identical with a similar provision in the House bill but was not contained in the Senate bill.

It provides, in section 306, that all laws relating generally to the administration of the departments and establishments so far as applicable shall govern the general accounting office and that copies of records, and so forth, of the accounting office when certified under its seal shall be admitted as evidence. This section was not contained in either the House or Senate bill.

It provides, in section 307, that the comptroller general may provide for the payment of accounts or claims settled in the general accounting office through disbursing officers of the departments or establishments instead of by warrant. This section was not contained in either the House or Senate bill.

It provides, in section 308, that the duties of the Division of Public Moneys of the Treasury Department, so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the Treasury Department. This section was not contained in the House bill. The duties enumerated in section 308 were proposed by the Senate bill to be transferred to the general accounting office.

It provides in section 309 that the comptroller general shall prescribe the forms and procedure for accounting in the departments and establishments and for the administrative examination of accounts and claims, and that he shall submit to Congress reports upon the effectiveness of the administrative examination of accounts and claims and upon the effectiveness of departmental inspection of the accounts of fiscal officers. This section was contained substantially in this form in the Senate bill and was not in the House bill.

It provides in section 310 for the abolishment of the offices of the six auditors of the Treasury Department and the transfer of those officers and their employees and records and other property to the general accounting office. This portion of the

section is identical with a similar section in both bills. Section 310 also provides for the transfer of employees and records of the division of bookkeeping and warrants in so far as they relate to the duties of that division which are transferred to the comptroller's office. This matter was contained in the Senate bill but not in the House bill.

It provides in section 311 for the appointment of employees by the comptroller general in practically the same manner as was provided in both bills. Section 311 further provides that all officers and employees in the accounting office shall perform such duties as may be prescribed by the comptroller general. It also provides that all official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force as though he personally had performed such duties. This latter matter was not contained in the House or Senate bills. This section also provides that the comptroller general may make rules and regulations for carrying on the work of his office, including the admission of attorneys to practice. This matter was contained in both bills, with the exception of the part relating to the admission of attorneys to practice.

It provides in section 312 that the comptroller general shall investigate all matters relating to the receipt and disbursement of public funds and shall make to the President when requested by him and to Congress at the beginning of each regular session a report on the work of his office, containing recommendations for legislation to facilitate the settlement of accounts and other matters relating to the handling of public funds. He is also required in his regular report, or by special reports when Congress is in session, to make recommendations looking to greater economy or efficiency in public expenditures. He is also required to make investigations and reports ordered by either House of Congress or any committee of either House having jurisdiction over revenue, appropriations, or expenditures. This section is practically identical with similar sections in the House and Senate bills, with the exception that the House bill did not require him to make a report to the President and the Senate bill required him to make a report to the President on or before October 15 of each year.

It provides in section 313 that all departments and establishments shall furnish to the comptroller general such information regarding their duties, financial transactions, methods of business, and so forth, as he may require, and authorizes him or any of his assistants when authorized by him to have access to the records of departments or establishments for that purpose. The authority of the section is not applicable to the expenditures made under the emergency fund for the Diplomatic and Consular Service. This section is identical with a similar section of the Senate and House bills.

It provides in section 314 that the Civil Service Commission shall establish a civil-service register for accountants for the general accounting office and that examinations for such register shall be based upon questions approved by the comptroller general. This section is identical with similar sections in the House and Senate bills.

It provides in section 315 for the transfer of the appropriations for the fiscal year 1921 for the offices of the Comptroller of the Treasury Department and the six auditors and makes them available for the general accounting office, and it also authorizes the comptroller general within such appropriations to make such changes in the number and compensation of officers or employees as may be necessary. This section was not contained in either bill. The Senate bill carried an appropriation of \$150,000 for the general accounting office.

It provides in section 316 that the general accounting office shall not be considered as an office created since January 1, 1916, so as to deprive employees of that office of the additional compensation allowed by section 6 of the legislative act for the fiscal year 1921, if the employees are otherwise entitled to receive it. This section was not contained in either bill.

It provides in section 317 that employees of other executive departments or independent establishments may be transferred during the fiscal year 1921 to the general accounting office notwithstanding the provision of existing law prohibiting such transfers until after service of three years in the department from which the transfer is proposed to be made. This section was not contained in either bill.

It provides in section 318 that the act shall take effect July 1, 1920, but that appointments to the offices created in the act may be made prior to that date to take effect on July 1, 1920.

The bill as agreed upon does not contain four of the principal features of the Senate bill. The first provided for the establishment of a board of appeals in the general accounting office. The second provided for the transfer to the jurisdiction of Congress of the Bureau of Efficiency. The third provided for the transfer to the general accounting office of all of the duties of

the Division of Bookkeeping and Warrants of the Treasury Department, except those duties relating to the compilation of estimates of appropriations. The fourth provided for the transfer to the accounting office of the duties of the Division of Public Moneys of the Treasury Department in so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment.

JAMES W. GOOD,
P. P. CAMPBELL,
MARTIN B. MADDEN,
JOSEPH W. BYRNS,
JNO. N. GARNER,

Managers on the part of the House.

Mr. GOOD. Mr. Speaker, at this late hour I shall not long detain the House explaining the conference report. This is a unanimous report, and in submitting it the managers on the part of the House believe that they have provided in it a budget system that will not only meet the demands of the public but that will be found to be a workable law that will result in great economy. All of us realize, and for a long time have realized, the defects in the present law. We believe that these defects have been cured by this measure. We believe that we have in this report not only built upon the experience of other governments but have profited by our own experience.

The bill is a combination of the measure that passed the House last October and the Senate bill. In principle, however, it maintains the provisions of the House bill.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARNER. I am very glad that the gentleman from Iowa made that statement, since I see that a Member of another body has said that in all essentials it is the Senate bill. I want to agree here with the gentleman from Iowa that the essential provisions of this conference report embody the House provisions of the bill, regardless of what the statement may have been by some one else to the contrary.

May I ask the gentleman, while I am on my feet, so that I may not interrupt him again, whether, if this conference report is agreed to, it will be complete in all its details and arrangements and effectiveness unless we amend the rules of the House?

Mr. GOOD. I think, as a corollary to this measure, if we are to have real economy, if we are to appropriate with intelligence, we must have one policy as to appropriations and must maintain the budget in its form, at least, and to do that we must place the authority over appropriations in one committee and keep the budget in its entirety.

Now, what the gentleman from Texas has said with regard to the principles of the bill I agree with, and, after all, that is a naked statement, and only refutes the statement made in another body. Whether or not the bill as it is now reported is built on the principle found in the Senate bill or upon the principle laid down in the House bill will be determined not by what the gentleman from Texas may say, not by what I may say in that regard, or what somebody in another body may say, but upon a clear analysis of the provisions of the two bills.

Let us see what the chief underlying principles of the two bills are. The House bill provided that the budget should be the one submitted to the Congress by the President of the United States, and that he should have the machinery, if you please, to assist him in preparing that budget. That was the only budget referred to in the House bill. That budget would be the President's budget. The House bill gave him what was called a bureau of the budget of his own selection.

Now, the Senate bill was quite different from that. The Senate bill provided for the bureau of the budget, but it also provided that that bureau should be in the Treasury Department and that the budget bureau should be conducted by the Secretary of the Treasury; that the Secretary of the Treasury should go through the estimates of the various departments and independent establishments of the Government and revise them and correlate them or increase them, as he pleased, and on or before the 20th day of November of each year he should send his budget to the President. The President could then take it, revise it as he pleased, and on or before the 10th day of December should submit it to Congress with his revision.

The conferees' report starts with the proposition that at the beginning of each regular session of Congress the President shall submit to the Congress a budget, and then it provides that the budget shall be prepared, not by the Secretary of the Treasury but under the direction of the President of the United States. It creates the bureau of the budget, just as both House and Senate bills did. It provides that in the bureau of the budget, which is not located in the office of the Secretary of the Treasury, there shall be a director and an

assistant director. This report provides that the Secretary of the Treasury shall be the director of the bureau, and to that extent the House conferees yielded to the demand of the Senate.

It was strenuously urged that because of the intimate knowledge of the Secretary of the Treasury with regard to disbursements and receipts, the Secretary of the Treasury should be on the budget staff. The House committee felt that the House provisions were better in this regard, but in order to secure an agreement we saw no objection to placing the Secretary upon that bureau staff, so long as that bureau would perform only such work as the President directed and in the manner directed by the President. Even under the House bill the President could have appointed the Secretary of the Treasury to a position in the bureau of the budget.

Mr. MADDEN. And a provision of the bill as reported by the conferees directs the budget bureau to prepare the budget under the direction of the President?

Mr. GOOD. Yes; all the way through. We have been very careful to make the provision that the budget should be prepared as directed by the President, and that the bureau should act as directed by the President. It has no authority to act but in accordance with the President's will.

Mr. GARNER. We not only make the President responsible for the amount asked for to run the Government for the next fiscal year, but we give him the machinery by which he can ascertain any facts, regardless of the Secretary of the Treasury.

Mr. GOOD. Absolutely.

Mr. GARNER. Because we direct that he may take either the Secretary of the Treasury, who is director of the budget bureau, or he may take the assistant, and direct him to perform the duties of the budget bureau.

Mr. GOOD. Exactly. The gentleman is entirely right about that.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Iowa.

Mr. HAUGEN. In what respect does it change the responsibility of the President from the present plan? The President has responsibility now, and the budget bureau now is the Cabinet.

First the estimates are prepared by the bureau chiefs, and then they go to the Secretary and are revised by him, and then go back to the bureaus, and from the bureaus back to the Secretary, and from the Secretary to the Cabinet, and from the Cabinet to the President; and the present budget bureau is now the Cabinet. In what respect do you change the responsibility of the President?

Mr. GARNER. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARNER. Under existing law the President of the United States has absolutely nothing to do with it, except as he may direct his Cabinet. The estimates are sent by the Cabinet officers to the Secretary of the Treasury, and from the Secretary of the Treasury to the Speaker of the House of Representatives, and transmitted to the various committees. Now, the President has absolutely no authority in the premises, and does not look over it, except as he may direct his Cabinet officers. Under this proposed arrangement we make him directly responsible. We make him send the budget to Congress.

Mr. HAUGEN. He has the responsibility under the Constitution. I do not know what the practice is.

Mr. GARNER. He has the responsibility now of directing his Cabinet; that is all.

Mr. GREEN of Iowa. He has the responsibility, if he will obey the law.

Mr. HAUGEN. If he will obey the law, and we know what the law is and what his responsibility is.

Mr. GOOD. There is no such law on the statute books. There is a provision on the statute books which provides that when the estimates of expenditures exceed the estimates of revenue, then, and then only, shall the President reduce estimates or suggest new taxes. Now, even under that provision President Taft found that he could not enforce that provision of the law. Why? No President has ever tried to enforce that provision of the law, because, although Congress has said he shall do so-and-so, Congress has never given him the machinery by which he can do it in an intelligent way. President Taft attempted in, I think it was, 1911 or 1912 to reduce the estimates. He found that the estimates of expenditures exceeded the estimates of revenue, and he made a horizontal cut of 10 per cent. That penalized the bureau that was honest, that made an honest estimate and estimated just what its requirements would be, and it did not take from the dishonest bureau enough of its estimate to bring about anything like a just and equitable arrangement, and so the whole thing was found to be unworkable and was cast into the discard.

That was the nearest there ever was to an attempt to enforce the law.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. I yield for a question.

Mr. HAUGEN. Every department makes its estimates. Does the gentleman contend that the President is not responsible for the acts of the various members of his own family? The responsibility is upon the President and his own officers appointed by him. Each department submits its estimates. It is the duty of each department to submit the estimates, and the President is responsible for them. You add nothing and you detract nothing from the responsibility of the President.

Mr. GOOD. Oh, yes; we do.

Mr. HAUGEN. The whole thing is simply camouflage.

Mr. GOOD. The gentleman does not understand the English language if he does not see any difference between the provisions of the present law and the provisions found in this report. I believe the report is the greatest step forward we have taken for real economy in the United States in the last 50 years. I believe the report is founded upon principles that are absolutely correct and will meet the approval of 99 per cent of the taxpayers of the United States.

Mr. TINCHER. May I ask a question?

Mr. GOOD. I yield to the gentleman from Kansas.

Mr. TINCHER. If this becomes a law, with a President who is thoroughly familiar with budgets to enforce it, may we not look forward with some anticipation to improvements in our business conditions?

Mr. GOOD. I agree that, after all, no matter how perfect the law may be, it will not be self-executing. No matter how perfect we make the provisions of this law—and the committee reporting it believe it is a splendid piece of constructive legislation—no matter how perfect it may be if the President of the United States does not turn his attention, when he creates the bureau, to business considerations, there will be no substantial savings. If the President will not turn his attention to real economy; if he will not eliminate waste; if he shows no disposition to cut out the useless offices, to discontinue the unnecessary expenditures, then vain is any law we put on the statute books, so far as economy is concerned. Very much will depend on the enforcement of the law. Under the present law I do not care how economical the President may be, our laws are so archaic that the President, acting as he is compelled to act under the present statutes, can not enforce that degree of economy which the people of the United States have a right to expect.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I will yield to the gentleman.

Mr. BLANTON. If there has been a want of economy in the administration of affairs, the Government does not hold the President of the United States responsible.

Mr. GOOD. Not for everything.

Mr. BLANTON. Then they ought to stop cussing him.

Mr. GOOD. No matter how economical he may be, with these laws you can not enforce the degree of economy that the people of the United States are expecting.

Mr. MADDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. MADDEN. If the President performs his full duty under the provisions of the law now before us, and in addition to that the controller general performs his duty, it will have a salutary effect upon the expenditures of the Government, will it not?

Mr. GOOD. There is no question about that.

Mr. MADDEN. The responsibility placed on the controller general under this law will enable him to ascertain the wisdom as well as the legality of the expenditures, and permit him from time to time to report to Congress as to what economies ought to be effected by the executive branch of the Government, and in that way attention will be called to the laxness, if laxness there be, on the part of the President to enforce economy.

Mr. GOOD. Yes.

Mr. TINCHER. Will the gentleman yield?

Mr. GOOD. I will.

Mr. TINCHER. Is not the only sensible way to get a President familiar with the budget law and the budget system to start with?

Mr. GOOD. We must have that, of course. I believe that both political parties in their conventions will give more attention to the selection of a business man than ever before, because we must have at the head of the Government, if we are to have real economy, a business man who will bring about real and genuine economy.

Mr. SABATH. I am wondering whom the gentleman has in mind when he says he must be familiar with the budget system?

Mr. GARD. Let me ask the gentleman, Is that a boom for Mr. Hoover?

Mr. GOOD. I do not care to go into personalities. I am not now thinking of individuals or parties. I believe that for the next 20 years the great question in the United States, the question that the people of the United States will be most interested in on election day, is going to be the question of domestic economy. [Applause.] We must have a man at the head of the Government, I do not care what his name is or to what political party he belongs, we must have a man with a high regard for the taxpayers of the United States and of the cost of living.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. HAUGEN. The gentleman has given this matter a good deal of thought; I would like to ask him this question: Wherever the budget system has been tried out, has it resulted in economy, or has it resulted in more waste and expenditure?

Mr. GOOD. Wherever a real budget system has been tried out, whether in the business of a man or in the business of a corporation or in the business of a State, it has resulted in real economy in every instance, and wherever a man or a corporation or a municipality or a State has not had a budget system or a business working plan that concern has been headed for bankruptcy.

Mr. HAUGEN. What has been the result in the State of Illinois, and in England and in Germany and wherever they have had a budget system?

Mr. GOOD. The State of Illinois has a budget system and a good one.

Mr. HAUGEN. How about the \$30,000,000 increase?

Mr. GOOD. The gentleman will understand that in the State of Illinois by the adoption of a budget system they removed something like 127 high-priced commissions that were doing nothing but drawing fat salaries.

Mr. TOWNER. Will the gentleman yield?

Mr. GOOD. I will.

Mr. TOWNER. I want to ask the gentleman from Iowa this question. It is absolutely inevitable that these powers should be conferred upon the President. He is essentially the head of the administrative department, and the departments are required to report to him, and he must of necessity pass upon them in submitting them to Congress.

Mr. GOOD. There is no question about that. He is the only official whom all the people hold responsible for the economy in the expenditures of the Government of the United States.

Mr. KAHN. The gentleman has said, Why give this power to the President? There is no way of avoiding it. It is inevitable under our system.

Mr. GOOD. There is no question about that. What the committee desired to reach was a conclusion that would give the Government of the United States a system that is workable and that will bring about some economy. I think no one on the committee had any pride of opinion in regard to authorship. We called in men who had been writing books on the subject, men who had been administering large business concerns, State and municipal affairs. We asked their opinion, drawn from the experience of the wisest and best of men, men with the widest experience, men who have studied the question of the budget. We may be mistaken in our conclusions, but I do not believe we are. I think the system we are reporting here is a system that is based on the experience of men who have made a success in their private affairs.

It is the result of the experience of successful administrators of the law. We went further. We provided for that system of checks and balances which ought to exist in every well-regulated budget plan. The President originates the budget and he transmits it to Congress. It is up to Congress to determine whether it will accept the estimates, whether it will modify them, reduce them, or enlarge them. Congress must then assume full responsibility for its acts, just as the President assumes responsibility for his when he makes the budget. After the bill has passed, then, under the execution of the law, we provide for that independent establishment in the general accounting office, an office that will be to the appropriations made by Congress what the Supreme Court is to the construction of laws that are enacted by Congress. The opinion of the men who are working in that accounting office is that by creating that independent establishment we will save the first year over \$600,000 of the \$3,000,000 now appropriated for general accounting purposes.

We create this independent establishment, answerable to Congress, an establishment that has clerks and accountants, who will go through every department of the Government. When they find waste and inefficiency, when they find dupli-

cation in the service, they will come to the committee of Congress that has jurisdiction of appropriations and report that fact. That fact will also be communicated to the President of the United States. With that system of checks and balances it is believed this great overlapping of activities, this duplication that exists in every department of the Government, will cease, and that the Government of the United States will be placed upon a business basis, and that we will then administer the greatest business in all the world, the business of the United States, upon the same principles that govern the business men in the conduct of their affairs. That is the kind of system that we have tried to work out and which we believe is embodied in this bill. [Applause.]

I yield half a minute to the gentleman from Virginia [Mr. SLEMP].

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to insert in the Record a statement on the finances of the Government that I have prepared.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, does this involve the bonus legislation?

Mr. SLEMP. It does not.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, I asked the gentleman from Iowa [Mr. Good] about results obtained under the budget system. We have been told that in Illinois the budget system has resulted in the cutting off of a number of salaries. That may be true, but my information is that it also added \$20,000,000 to the burden of the taxpayers.

I rose more particularly to refer to H. Res. 341, to provide changes in the rules of the House in connection with the establishment of a national budget, which proposes to vest entire authority to appropriate in the Committee on Appropriations, and which resolution the gentleman states is to be taken up immediately after the conference report on the budget bill has been disposed of. England has tried the budget system with practically one committee. The Kaiser tried it. He had his one committee. Later he had more. The expenditures there were more closely guarded than is suggested in the resolution to follow. I simply rise to call attention to what it has cost England. Everybody knows that England is on the verge of bankruptcy. She is staggering under the deathblow of her infamous budget system, or, more properly stated, under the autocratic power vested in one committee. She is now turning heaven and earth to do what? To get away from this one-committee system, and the suggestion now is that she should have one appropriating committee for every one of her 13 departments.

If I had the time I would read from the reports. A committee was appointed in England to investigate the matter, and as I have stated, she is now trying to get away from that vicious system. It is a system that has bankrupted England and that is keeping her down to-day. We sent over 4,000,000 men into the recent war and lost 100,000 men in stamping out autocracy in Germany. As has been stated here to-day, we have an indebtedness of \$25,000,000,000. Fifty billion dollars have been expended in stamping out autocracy in Germany. And now, before peace has been declared, it is proposed to adopt the system of those bankrupt nations.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. LAZARO. Does not the gentleman think that England is doing pretty well after having been through four years of war?

Mr. HAUGEN. There has been a great waste of expenditures in England. She is trying to adopt our system, the system that we have had for a number of years—of not one appropriating committee but several appropriating committees.

She is trying to copy after our system. She tried the budget system. It failed and it has bankrupted her. We have been successful under our system. We have been the most successful nation on earth. If the Congress, the head of a department, or the President is derelict in his duties, the remedy is at the polls. If we need business men with business training in Congress, if we need men with business training and experience in the department, that is the remedy, gentlemen. If Congress intends to acknowledge that it has been derelict in its duties, acknowledge that it is inefficient, of course it can adopt this autocratic system and thus shirk its duty. Are you going to practically give up the rights which you have under the Constitution? The Constitution provides that not one dollar shall be expended from the Treasury without authority of law. It

is proposed to practically surrender that authority to the President and a committee of 35 Members. The Constitution gives you and me the same right. Do you suggest that 435 Members shall surrender that authority to 35 Members? I believe that no Member on this floor has the right to surrender the duties which he has as a representative of the people. The rights of a Representative can not be surrendered without surrendering the rights of those whom he represents. If you are willing to throw it all in one pot—

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. I trust that I may have more time.

Mr. GOOD. I will give the gentleman one additional minute.

Mr. HAUGEN. What would be the results of the budget under your proposed change in the rules? If the budget should call for \$4,000,000,000—one billion for loans to the railroads, one billion for validation of war contracts, fifty millions for the Department of Agriculture, and so on—and if it should be necessary to cut the budget one hundred million, which item would be the most likely to be cut? Search the record. If you judge by the past, the record tells the story. Where would the bonus bill be to-day if it had gone to that committee? To-day's record will tell that story. Bear in mind that under the rule no other committee can report a bill carrying one dollar of appropriation—

Mr. LONGWORTH. The gentleman refers to the bill just passed?

Mr. HAUGEN. I am speaking now of the proposed change in the rules to carry out the budget system.

With the exception of placing all authority to appropriate and pass upon appropriations in one instead of seven committees, no particular change from what we now have has been suggested except to infringe upon the rights of 400 Members. It adds nothing to nor detracts nothing from the responsibility of the Executive. It is now the function and duty of the Congress to scrutinize appropriations—

The SPEAKER. The time of the gentleman has again expired.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. HAUGEN. Under the leave granted to extend my remarks, I incorporate extracts from my remarks of October 18 on this subject, which have reference to the results of the autocratic budget systems of England and Germany:

"Sidney Webb, professor of public administration in the University of London, School of Economics and Political Science, in his reply to a question asked by the committees, favors not one committee—an autocratic power as suggested here—but states that for the purpose there should be appointed a standing committee for each of the 13 great divisions of government. So, according to the select committee and Dr. Webb, we should have not one committee, as suggested here, or eight appropriation committees, as we now have, but several committees, or one for each of the 10 departments. To that might be added others, as, for instance, one for the executive department, and so on. Undoubtedly a committee on appropriations for each department, as we now have on expenditures in each department, would result in a saving and great benefit. It goes without saying that committees having jurisdiction pertaining to the departments, committees drafting laws and who come in more frequent contact with the departments, have more intimate knowledge of their requirements than a committee giving all its time to appropriations. As to the advisability of one or more committees and as to the results of the budget system in Europe, I refer you to the ninth report from the select committee on national expenditures, together with the appendix, ordered by the House of Commons to be printed October 22, 1918. According to it, though wide difference of opinion exists in England as to whether committees should have jurisdiction over estimates and accounts, practically all agree that the present method for securing parliamentary control of expenditures is inadequate and favor the establishment of from 1 to 13 committees on expenditures.

"I have a copy of a publication entitled, 'The Nineteenth Century,' of August, 1917, in which Mr. J. A. R. Marriott refers to the vicious budget policy. On page 346 he quotes Sir Tudor Walters: 'Ministers must not imagine that they * * * are possessed of some divine and supreme power. * * * We want to restore to the House of Commons not merely the right to audit the expenses that are being incurred but to control the financial policy and expenditure of the country.' And states: 'Such language, repeated from every quarter of the House, proceeding indifferently from conservative, radical, and labor mem-

bers, possesses no inconsiderable significance.' On page 346 he quotes Mr. T. Gibson Bowles: 'A close study of British finance can not but conclude that the vast increase in our national expenditure does, on the whole, mainly arise from * * * a disregard of economies, a contempt for frugality, and a lavish, wasteful, wanton, and unnecessary expenditure all around.' Does that sound like economy? On 351 he states: 'Can it be hoped that we shall ever get back to sound methods of finance, or that we shall ever reestablish the effective control of the House of Commons over expenditure so long as financial responsibility is divorced from political power? There is, however, general agreement that unless we are to drift toward disaster that control must be reestablished.' He further states that the act of 1866, the budget policy, is a corner stone of the existing edifice. On 353 he states: 'Plainly the first step to be taken is to insure a real and not merely a formal examination of the estimates. But a real examination is not possible at the hands of the whole House, nor, indeed, at the hands of any smaller body—such as a select committee * * * the estimates should be closely scrutinized by a committee or by a series of committees—one for each class of votes—especially appointed for this purpose and charged to make a report to the House before the estimates are approved in committee of supply.' On 354: 'We want, therefore, not only an estimates committee but also a committee whose duty it shall be to examine the financial aspect of every bill which involves the expenditure of public money—a committee which shall have the power to examine ministers and permanent officials and shall make a detailed report to the House before it goes into committee on the bill. * * * Is it not demonstrably true that much of the waste of public money which we are deploring to-day is due to overhaste in legislation? Is overhaste desired? If so, one committee. On 355 he states: 'The ancient machinery must be adapted to modern processes of production. Unless the adaptation is made, and made quickly, nothing but disaster can ensue.' And further quotes President Lowell, of Harvard, who, after referring to the 'growing practice of delegating legislative power,' adds: 'We hear much talk about the need for the devolution of the power of Parliament on subordinate representative bodies, but the tendency is not mainly in that direction. * * * The real delegation has been in favor of the administrative departments of the central Government, and this' (as Mr. Lowell justly observes) 'involves a striking departure from Anglo-Saxon traditions with a distinct approach to the practice of continental countries.'

"On 357 he states: 'Neither the existing House of Commons nor the more responsible organ of public opinion will allow matters to remain as they are. Nor is any time to be lost.' On 358: 'It is of supreme importance to them that their representatives in the House of Commons should, without delay, take the necessary steps for regaining that control over the spending departments of the Government which they have allowed to slip out of their fingers.' The article is signed by Mr. J. A. R. Marriott and is followed by a footnote, which reads as follows: 'Since this article went to press the Government have settled the terms of reference to the select committee which is to be set up immediately—the terms which follow closely the line in the above pages.'

"Here is what the press and some of England's most eminent people have to say about the inferior autocratic budget policy. I quote from the London Times, Friday, August 8, 1919:

"ROAD TO RUIN—FINANCIAL PERIL ADMITTED—ECONOMY AND WORK THE ONLY HOPE—"DIRECT ACTION IS TREASON."

"The House of Commons turned its attention to-day to the great and serious questions of the reestablishment of the authority and control of Parliament and the financial position of the Kingdom. Mr. Chamberlain insisted that the good will and active assistance of every class in the community were needed to save the situation. If we continued spending as we were spending now, and if we did not increase production beyond the rate at which we were producing now, the end would be national bankruptcy. He repeated that the Government as a whole were seized with the seriousness of the position and had set their minds to find a remedy. There was nothing in the situation, he added, that was beyond our control, if we tackled it as a nation with the same resolution, public spirit, and unity with which we had faced and overcome the difficulties of the war.'

"Gentlemen, there is your economy. There is the situation under a budget system. As before stated, under it, under the lump-sum appropriations, it is easier to get money out of the Public Treasury. If that is what is desired, the budget system and the reduction of the number of committees will undoubtedly do that.

"I will include a few clippings from the London Times. The Times' report of the debate in the House of Commons, June, 1919:

"NATIONAL EXPENDITURE—THE QUESTION OF CONTROL.

"Mr. H. Samuel stated that it was right to say at the outset that they had found the chancellor of the exchequer and the Government departments very ready to adopt the suggestions which the select committee had made. So far from resenting them, they had, as a rule, really welcomed the committee's suggestions, because they realized that the committee had not been seeking opportunities for attack, but only seeking opportunities to be of assistance. There was a small number of outstanding questions as to which the Government had not met the suggestions of the committee or had met them only in a partial and insufficient degree. * * * He complained of the war office attitude to the committee on expenditure in regard to the military staff of the war office. The committee had recommended last December that the war office should hold an inquiry of its own into the question of the increase in the staff.

"MR. BONAR LAW'S REPLY.

"The chancellor of the exchequer: I can assure the members of my right honorable friend's committee that it is through no feeling of discourtesy to them that I rise now before they have taken their part in the debate. * * * It is the duty of the chancellor of the exchequer, more than anyone else, to welcome any measure by which greater control and some chance of saving can be secured in this immense expenditure. For that reason I welcomed the appointment of this committee. I welcomed it on the understanding, which has been adhered to, that it would be set up for the purpose of helping in this matter and not for the purpose of finding material with which to criticize the Government. There is a real danger that in dealing with this big question we may be so lost in details that we shall not be able to see the wood on account of the trees, and it is the business of the House to look at the larger aspects as well as the smaller aspects of this question. The Government have tried to carry out the recommendations of this committee."

"The Times, Friday, August 29, 1919:

"WHITEHALL PURGE—RUTHLESS REDUCTION AT WAR OFFICE—NATIONAL SHIPYARD SCANDAL.

"Our correspondent at Chepstow calls attention to the waste of between four and five millions of money there at the National Shipbuilding Yards. In two years two ships have been launched. Mr. Clynes, speaking last night at Widnes, denounced the Government's extravagance and waste. * * * On top of Mr. Lloyd-George's letter to his colleagues has come a circular from the treasury addressed to the permanent heads of each state department, asking them to look into affairs and to effect economies in every possible direction."

"The Times, Thursday, September 4, 1919:

"THE ENFORCEMENT OF ECONOMY.

"TO THE EDITOR OF THE TIMES:

"SIR: Mr. Mason thinks the suggestions made by Mr. Grant and myself for the control of expenditures beside the mark. His panacea is a change of Government, a remedy which suggests political partisanship rather than a genuine desire for economy. Those of us who are chiefly concerned to see good government restored look beyond the present "hustle," with its waste, its injustice, and its inevitable reaction. We want to see a system established which will insure that projected economies, as well as projected expenditures, receive careful and instructed consideration. Flying visits of inspection, letters from high places, week-end decisions on hastily thrown together reports, will not effect our objects. They can only be secured by intimate inside knowledge. But that knowledge must be independent of the department, or its possessor will inevitably be hampered by that spirit which exists in all great concerns, and which, at its best, appears as "esprit de corps"; at its worst, as departmental jealousy. I have advocated the appointment of a treasury official in each of the great spending departments, and if your correspondent is correct, something of the kind is about to be carried out. If this should be the case, the new officials should, as a matter of course, report from time to time to the select committee on national expenditure. I am, sir,

"Your obedient servant,

"NEVILLE CHAMBERLAIN."

"TO THE EDITOR OF THE TIMES:

"SIR: The long and short of it is the country has got to meet a bill by March 31 next of one thousand six hundred millions and will only have six hundred millions with which to meet it. Will Lord Fisher or anyone else be kind enough to tell us how this is to be done? Will the prime minister or the chancellor of the exchequer or Mr. Bonar Law tell us? I have been looking at your columns every day for this, but "there is neither voice

nor any that answered." Are the English, who have shown themselves heroes in war, to be cowards in peace? Are our statesmen and generals and admirals, who have shown themselves invincible in battle, now to cringe and to cower before the calamity of insolvency, destitution, and want, and not to be able to point a way of safety from the self-accusing conscience of the nation which will save our self-respect and at the same time honor our acceptances? * * * I was addressing a multitude in the open air upon this question the other day, and a man afterwards came up to me and said that he did not think he could draw his pension conscientiously any longer, and he had determined to seek some useful occupation. That is the spirit of noble independence and self-sacrifice which peace demands of us, and unless we, as a nation, can show the same fortitude and valor now that we did in the war we shall deserve to sink into the same infamy and disgrace as did the ancient empires of the world. Mr. Hoover's very plain speaking about the "stoppage of credit" is quite sufficient warning of what is coming upon us. * * * There is no doubt this country can pay its way in time, but if its throat is to be cut just when it is beginning to breathe, we might just as well all have been destroyed in the recent war. Is it not perfectly futile to talk about houses for the working classes when we can not get the fuel with which to make the cement or the bricks—fuel which we shall want this winter for our very existence? When the nation can not pay its way, it is pure lunacy to launch out into a national transport system and the nationalization of coal mines, which will cost many millions. A man with a bankruptcy petition on the file against him might just as well talk about buying a new house or building a yacht.

"Yours, obediently,

EDMUND KIDDER."

"Does that indicate economy under the autocratic budget system? I leave it you, gentlemen.

"I have a number of other clippings from press reports. I shall not read from them further than their headlines:

"The Times, Tuesday, September 2, 1919: 'Control of expenditure.'

"The Times, Saturday, August 9, 1919: 'The road to ruin—State extravagance—Ministers' fears—New estimates in the autumn.'

"The Times, Wednesday, August 13, 1919: 'Extravagance: the Government's apologies.'

"The Times, Monday, September 1, 1919: 'Treasury control—A return to sound practice.'

"The Times, Saturday, September 20, 1919: 'The public purse—Responsibility for control.'

"That is what the people of England think of the budget policy and no committee, or few committees, to review an appropriation. They have tried it. They are staggering under it. England is doing all it can to get away from the vicious, autocratic system, and is patterning after our system. We are expected here to adopt a system tried, discarded, and discredited in other countries.

"I will also quote from the ninth report from the select committee on national expenditure, to which I referred a few moments ago.

"Page 2 gives the order of reference. It states that on February 19, 1918, it was ordered that a select committee be appointed—

"To examine the current expenditure defrayed out of moneys provided by Parliament and to report what, if any, economies consistent with the execution of the policy decided by the Government may be effected therein.

"To make recommendations in regard to the form of public accounts, the system of control within the departments and by the treasury, and the procedure of this house in relation to supply and appropriation, so as to secure more effective control by Parliament over public expenditure."

"Page 3. It reports: 'The select committee on national expenditure have made progress in the matters to them referred so far as relates to the procedure of the House in relation to supply and appropriation and have agreed to the following ninth report. * * * The subcommittee decided to proceed by way of written question and answer. They framed a questionnaire, which was sent to Mr. Speaker, the chairman of ways and means and the deputy chairman, to the chancellor of the exchequer and the ex-chancellors, to the financial secretary to the treasury and the ex-financial secretaries, to certain other members of the house representative of parties, to the comptroller and auditor general, to certain government officials, and to a small number of others whose views it was thought desirable to ascertain. We present in the appendix to this report the questions and the replies, together with a synopsis. Those questions and replies related to the normal conditions of times of peace, and this report relates to them also. * * * The

replies show, with few exceptions, a consensus of opinion that the present system of parliamentary control over expenditures is inadequate. In that view we concur. Indeed our terms of reference themselves, inviting proposals to render control more effective, indicate that the house is not satisfied with the existing procedure. * * * Under these conditions it is not surprising that there has not been a single instance in the last 25 years when the House of Commons by its own direct action has reduced on financial grounds any estimate submitted to it. * * * Yet it can not be contended that there is never an occasion in any year or under any head on which proposals for expenditure could with advantage be reviewed and amended.

"Page 4 states: 'We consider that the House of Commons, as the representative of the taxpayer, should reassert fully and effectively its right of restricting the amounts to be allotted for each head of the national expenditure, and we recommend the adoption of the measures to that end which we now proceed to detail.'

"Standing committees on estimates: 'The great majority of the replies to the questions which were circulated favor the principle that the estimates should be subjected to examination by a select committee. Among those who express that view are all the officers of the House who were consulted—Mr. Speaker, the chairman of Ways and Means, the deputy chairman, and the Clerk of the House. We are unanimously of the same opinion.

"We recommend that at the beginning of each session there should be appointed by the customary procedure two standing committees on estimates, each consisting of 15 members. After some experience of the working of these committees it may be found desirable to add a third.

"We have considered the alternative of a single committee with a larger membership, which should divide itself into a number of subcommittees, each dealing with one department or group of departments, but we have arrived at the conclusion that for the purpose in view the balance of advantage lies against this method."

"Page 5 (S. C. on E.) states: 'The estimates committee of 1912, 1913, and 1914 was appointed in pursuance of a recommendation of the Select Committee on National Expenditures of 1902-3. It rendered useful service, but its usefulness was impaired by three causes.

"First, the task imposed upon it was too large for a single body to perform; it was able to consider each year only a fraction of the estimates; its examination of the votes of any particular department was rather an exceptional incident than a normal part of the financial procedure. The departments knew that, once their estimates had been considered, it would probably be from 7 to 10 years before they were considered again. Our proposals for two committees—and, if experience shows it to be desirable, for the addition of a third—should go far to remove this drawback, particularly if each of the committees were expected to give as much time as might be necessary to enable it to cover each session a large part of the whole field."

"Do you want estimates examined once in 10 years? If so, have one committee as proposed here. That is your one-committee budget system. That is your autocratic form of government proposed here.

"On page 8 the committee gives its conclusions and recommendations:

"We are of the opinion that the existing procedure of the House of Commons is inadequate to secure proper parliamentary control over the national expenditure. We recommend that there should be appointed each session two standing committees on estimates, each consisting of 15 members, and that a third should be added if experience showed that this was desirable."

"Page 9, Appendix. Questions relating to the procedure of the House of Commons on matters of finance and the replies received thereto. List of questions: (These questions relate to normal conditions and not to the state of war.)

"1. Do you consider that the present methods for securing parliamentary control over expenditure are adequate?

"2. If not, do you regard the appended proposal for the establishment of a standing committee on estimates and accounts as the right line of reform?

"3. Have you any modifications to suggest to that proposal?"

"Page 10. Reply from Mr. Speaker:

"1. I do not consider the present methods tend to economy. The House of Commons has become one of the chief spending departments of the State.

"2. I believe that a committee on estimates, selected from among the real advocates of economy, would have a salutary effect.

"3. It is a mistake to combine the public accounts committee and the estimates committee. The function of the latter is to criticize the vote of money necessary for a particular service; the function of the former is to see that the money voted has been spent in the manner intended."

"Page 11. Reply from the Right Hon. Sir Donald McLean, K. B. E., deputy chairman of ways and means:

"2. I think that a committee on estimates is a very good idea."

"Page 14. Reply from the Right Hon. T. McKinnon Wood:

"2. Yes. It is quite impossible for so large a body as the committee of the whole house adequately to consider details of estimates, and I think that it is necessary to adopt the standing committee system if anything like effective control over the spending departments is to be exercised by the House of Commons. Such control will in the future be of extreme importance."

"Page 15. Reply from the Right Hon. Walter Runciman, M. P.:

"In reply to your inquiry I have to say that, after considering the tentative proposal of your committee that greater economy in the expenditure of public moneys should be secured by means of a standing committee on estimates, set up as a microcosm of the House of Commons, somewhat on the lines laid down by your committee? I could not give more than general approval of this suggestion, for in some details it seems to me expedient to make modifications.

"I do not hold the view that a committee set up for this purpose would lead to pressure for increased rather than for decreased expenditure, but if that tendency is to be feared safeguards against it can be provided from the first."

"Page 18. Reply from the Right Hon. Arthur Henderson, M. P.:

"With reference to question 1, the reply is definitely in the negative, and in reply to Nos. 2, 3, and 4, while not committing the party to every detail in the proposal for a standing committee, broadly it is on right lines. It may be stated, however, that in our opinion 26 members would not be sufficient to do the work contemplated."

"Reply from the Right Hon. J. W. Gulland, M. P., page 19:

"1. No; I think the present methods very inadequate.

"2. The committee as proposed would be one useful line of reform.

"3 and 4. It entirely depends on how this committee is worked. If it is energetic it could be of enormous use, but it all depends upon the work and spirit that is put into it."

"Page 20. Reply from James Parker, Esq., M. P.:

"If parliamentary control is to be really effective the estimates of every department should, in my opinion, be considered by a committee before they are sanctioned by the house."

"Page 22. Note by Sir H. J. Gibson, K. C. B. (comptroller and auditor general):

"While supporting the establishment of a standing committee on estimates as well as on accounts, I am strongly of the opinion that they should be separate and not combined, though some members should serve on both."

"Page 24. Reply from T. Gibson Bowles, Esq.:

"Both the expenditure to be provided for and the actual expenditure itself are uncontrolled. In the true sense there is no public finance left. Nor will there be nor can there be any restoration thereof, either during the war or for long after. The waste, the squandering, the fraud, and the terrible irregularities of all sorts now proceeding and inevitable in war will then come under review, as they did after the Boer War in the public accounts committee, whereof I was then a member."

"Page 26. Reply from Sidney Webb, Esq., professor of public administration in the University of London (School of Economics and Political Science):

"No one committee could set itself to control policy in general. What seems required is a series of standing committees, to be appointed by the committee of selection at the beginning of each Parliament mainly from among members interesting themselves especially in the particular subject and serving for the whole term of the Parliament—this not necessarily excluding a formal reappointment and filling of vacancies each session—each committee charged with the continuous oversight of what is actually being done in 1 of the 13 fundamental branches of our Government at its present stage, namely, foreign affairs, defense, finance, justice, the promotion of material production, communication and transport, the regulation of employment, education, health, the administration of India and that of the dominions and dependencies, supplies and research."

"Page 27. Reply from Sidney Webb, suggesting 13 committees:

"To sum up, I propose:

"1. That the House of Commons should insist on a marked distinction being made between the oversight of policy and the art of technique of administration.

"2. That the house should organize its own work so as to be able to exercise such a continuous oversight of all the ministries or departments as will enable it to secure the execution of the policy that it has prescribed, and no other.

"3. That for this purpose there should be appointed a standing committee for each of the 13 great divisions of government, the various ministries or departments concerned with each such division being required to supply, continuously and automatically, the information necessary to enable the committee to satisfy itself that the prescribed policy is being carried out efficiently and therefore with genuine economy."

"Page 28, Part III. Synopsis of replies received to the questions submitted by the subcommittee on procedure:

"To question 1:

"The house 'has become one of the chief spending departments of the State.' (Mr. Speaker.)

"It is impossible for the house as a whole to have any effective knowledge of the countless details of expenditure. (Sir Charles Hobhouse, Mr. McKinnon Wood.)

"Debate in committee of the whole house is an unsuitable method. It reflects current opinion, which may be economical or the reverse. (Sir C. Ilbert.)

"It is diffuse and inconclusive, and in any case is concerned with policy and not with the amount of expenditure. (Sir Sydney Olivier, Mr. Hayes-Fisher, Sir William Gibbons.)

"To question 2:

"Unqualified (or practically unqualified) approval is expressed by the chairman of ways and means, Sir Courtenay Ilbert, Mr. McKinnon Wood, Mr. Hayes-Fisher, Mr. James Parker, Mr. Arthur Henderson, Mr. Boland, Sir Sydney Olivier, Sir William Gibbons, and Mr. Harold Cox. Approval in general terms, but subject to important reservations, by Mr. Speaker, Sir Donald McLean, Mr. Runciman, Sir Charles Hobhouse, Mr. Acland, Mr. Gulland, and Sir Charles Harris. Mr. Asquith would have no objection to seeing the experiment tried."

"Gentlemen, England has tried this since 1866. She has given it a fair trial. As a result she is on the verge of helpless bankruptcy. The report gives the conclusions of this committee, a committee that has given this matter years of thought and consideration. Are we to pattern after England? Are we not drifting into debt fast enough?

"I will also quote from the Economist.

"In the issue of November 30, 1918, page 739, George Hamilton in an article stated:

"The nonperformance of these duties will ultimately land the country in insolvency or to infringe upon the present prerogatives of the chancellor of the exchequer and the treasury by associating with them a capable cooperation, and by obtaining effective economy preserve national solvency. * * * I further contended in my letter that it was policy and not accountancy which alone can regulate and control national expenditure. If committees were established on the lines I suggested they would very much resemble the parliamentary bureaux of the French Assembly, and these bureaux investigate expenditure before and not after it is sanctioned. My suggestions therefore would put some limitation on the powers which the chancellor of the exchequer, the treasury, and the House of Commons as a whole are now supposed to exercise, but it is because they are incompetent adequately to discharge this duty, and their incompetency is generally acknowledged, that it becomes necessary to substitute an effective machinery for that which from experience we know has failed and will continue to fail."

"In the issue of December 7, 1918, page 776, Constitution Hill states:

"No tinkering with the constitution of the treasury will prevent the elect of modern democracy from spending public money."

"In the issue of May 10, 1919, page 776, under an article entitled 'This year, next year, some time—?' appears the following:

"Neither this year nor next year nor perhaps the year after will be entirely normal, and in considering what our policy ought to be, I am driven to the hazardous experiment of casting my mind forward into the future to an imaginary normal year.' (The Chancellor of the Exchequer.)

"We may perhaps be doing an injustice by a comparison of the chancellor's finance with an almost passive religious piety, but there is about his speech—even about his exhortations to economy—a painful suggestion that things have gone far beyond his control, and a despairing hopelessness of any rapid improvement in the attitude of Parliament toward expenditure. * * * Hesitation in assuming that Parliament will show any respect for economy is natural and indeed inevitable, but it would be much better for the chancellor, instead of saying, 'I assume,

though I have no right to assume, that you will be good boys,' to say to the House of Commons, 'So long as I am at the treasury you have got to behave yourselves.' In other matters the Government has not shown much respect for the independence or the importance of this House of Commons, and if firmness and dictation are wanted anywhere it is in the realm of finance that the need is most urgent. * * * Then we have in this hypothetical budget a debt charge of £400,000,000. This figure compares with an actual estimate of £360,000,000 for the current year, leaving a difference of £40,000,000 as the charge on subsequent borrowing. Here again results must depend on exertion and economy, and until revenue covers expenditure £400,000,000 will unhappily remain a hypothetical figure. How much more the State will have to incur through housing, redemption of debt, and loss on exchange is not clear, but we shall probably be fortunate if Mr. Chamberlain's estimate is not exceeded."

"Here you have the result of the budget policy of England. Is it what is desired in our country?

"In the issue of May 17, 1919, page 797, under an article entitled "Waste," appears the following: "Every now and then the select committee on expenditures or the auditor general lifts the veil for a moment and shows us a few striking instances of how Government officials have played ducks and drakes with the public money. * * * But we doubt whether the public have ever been given such startling revelations of the way in which their money has been thrown in the gutter as is provided by a report on the ministry of munitions issued this week by the comptroller and auditor general. Ten columns would hardly suffice if we were to give all the paragraphs in this report which refer to extensive official delinquencies, and we advise our readers to purchase the document for themselves. It is numbered 79 and may be obtained for 6d. at His Majesty's Stationery Office or through any bookseller. * * * We have not the space to pursue further this tragic catalogue of sins against the taxpayer. * * * We can not now save these millions that have already gone down the sink. But the plea that it is no good crying over spilt milk or shutting the stable door after the horse has been stolen is as perilous as it is specious."

"Worse and worse the further we look into it. Think it over."

"In the issue of August 16, 1919, page 259, under an article entitled "The prime minister's chance," appears the following: "At the end of last week Mr. Chamberlain told the house that if we continue to spend as we are now spending we shall be on the road to national bankruptcy, but seemed to regard his statement as a matter of purely academic interest, not requiring any action on his part. He is apparently prepared, after giving this warning, to let things go on as they are. He also stated that on both sides of the account his budget estimates will be very wide of the mark. The expected expenditure will certainly be exceeded, and he will be some £70,000,000 short in his revenue. * * * Perhaps even more astonishing, as an indication of the Government's incapacity to see what is required of it by the country, was its defense of the charges made in the report, already referred to, by the select committee on national expenditure. A very important point, on which great emphasis has been laid by the daily press, was a reply made by the lord advocate (Mr. Clyde) to Sir John Hunter when he urged that criminal proceedings should be taken with regard to certain sums that appeared to have been wrongfully expended. * * * Such is the series of ineptitudes with which the rank and file of what is called our Government have heaped discredit on discredit. * * * We need drastic official economy and taxation. * * * We must pay our way, and since the budget is already a fallacious mockery, it must be amended so as to bring us at least as near to paying our way as we were said to be when it was brought in."

"In the issue of August 23, 1919, page 320, under an article entitled "Controlling the departments," written by Charles John Wilson, appears the following: "Upon all hands we hear cries that if the nation would avoid bankruptcy, greater vigilance must be shown and greater control exercised over the spending departments. * * * Parliament finds it very easy to vote money—that is, to sanction expenditure—but in the present state of our finances it is necessary that much greater control should be instituted. That is wherein all Government departments fail so lamentably when brought into comparison with private enterprise. Why should it be so? Is it not that there is a fundamental difference in the methods employed? * * * Can nothing more be done to show our efficiency as a nation in controlling our spending?"

"Mind you, all under a budget policy. Does that sound like economy?"

"I next compared the bill with the German budget policy. After making a comparison I need not say that I was not only surprised but astounded to see that the German budget system more closely guards its public treasury than the one suggested here. Aside from that, the two are practically the same. First, the preparation of the German budget estimates began with the local authorities. They were then submitted to the provincial authorities who criticized, revised, and coordinated them. They were next forwarded to the appropriate ministry—there are 12 of them. There they were again scrutinized, revised, and classified, and made an integral part of the department estimates. After the estimates were revised by the heads of the respective ministries they were transmitted to the imperial ministry of the treasury for further scrutiny and revision. They were then presented to the imperial chancellor for his approval. The final preparatory step in the budget procedure was the submission of the completed estimates to the Emperor. You will note that the estimates started with the local communities, the States and cities, and step by step were closely scrutinized and reviewed as they passed up to the Emperor, after which they were finally submitted to the Bundesrath, showing in itemized form the estimates, receipts, and expenditures.

"That procedure has been characterized as autocratic.

"Here in America, under a democratic form of government, not only where we preach it but where we live up to it, where we have gone to the extent of sacrificing 100,000 lives and expending \$50,000,000,000 in order to stamp out autocracy and to make the world a safer and better place in which to live, now, within 12 months after the victory achieved, it is suggested that we plunge headlong into the most autocratic form of government ever suggested; that is, so far as making expenditures are concerned.

"As was stated recently at the industrial conference by that noble champion of labor, Mr. Gompers, 'Are we in this year of grace, 1919, when we have driven political autocracy off the face of the earth, to submit to an industrial autocrat?' The words can well be applied in this case. As everybody knows, a budget system means lump-sum appropriations, which makes it easier for certain ones to get their hands into the Public Treasury. The centralization of power to appropriate the public money in one committee is undemocratic and a step toward autocracy. It deprives the membership of this House of their rights and prerogatives, and their rights can not be invaded without encroaching upon the rights of those whom they represent.

"In Germany, after passing through the various steps indicated, estimates were introduced first in the Bundesrath—the chief legislative organ of the Empire—a legislative council of instructed delegates from the several German States, appointed by the princes or kings of the States and the senate of the free cities, which council exercised the mixed function of a legislative and executive council or a court of appeals. It possessed the power of initiative and no change or amendment by the Reichstag could become valid without its approval. It was presided over by the imperial chancellor, at the head of the Prussian delegation. The Prussian members numbered 17. The total number of the Bundesrath, I believe, was 61. In Germany they had a committee of 61 representing the various States, cities, and local communities who watched over the items relating to their own States and saw to it that their rights were fully protected. Upon approval of the budget estimates the imperial chancellor of that body introduced them into the Reichstag with the budget bill, where it was debated and given consideration and then referred to the budget committee, a committee composed of representatives of various political parties, and similar to the one suggested here in this bill. Estimates were examined in detail. The commission from the Bundesrath appeared before the committee to give explanation and information. After that it was reported by the budget committee. Then the estimates were taken up for a second reading and debate. At the third reading the estimates were discussed item by item and then voted upon. As a rule, the majority of the Reichstag approved the budget upon the recommendation of the budget committee. The greatest freedom of debate was always allowed. Complaints against the departments' management were aired and criticized. After approval by the Reichstag the budget was then returned to the Bundesrath, where it was finally approved and then promulgated by the Emperor.

"Thus I have briefly compared the German policy with the one suggested here. Slack and imperfect it may be, but who will dispute the fact that the German system is more safeguarded? If autocracy was a bad thing in Germany, why here in America?

"Gentlemen, the results obtained under the budget policy in other countries do not square with the contention set forth in the report. The bill now under consideration, if enacted into

law, will probably do no harm. I doubt that it will improve matters. But as this bill affects expenditures only, if it bankrupts our country as it has other countries, that may in time be overcome. But when a resolution having for its object an encroachment on the rights and privileges of the Members of the House is to be taken into consideration, that is a different matter. I for one shall oppose it. Recently our policy has been not to make this House more autocratic, but to make it more representative. Our experience with autocratic power in the past resulted in wreck and ruin. Shall we try it again? Experience, careful thought, and consideration convince me that the best interests of the people in general and of the country at large would be better served by increasing the number of appropriation committees. In my opinion we should have at least one appropriation committee for each department.

"Besides that, I am absolutely opposed to the concentration of legislative power in one man or in one committee, thus curtailing the Member's rights and personal independence. And as I have stated, the Member's rights can not be encroached upon without invading the rights of those whom he represents. I believe that the people of the United States should have full opportunity to have their desires recorded; that their Representatives may have an opportunity to record their votes according to the dictates of their consciences and their best judgment.

"Why, gentlemen, that is simply contending for that for which our forefathers fought and died. With due regard and respect to those who disagree with me and who believe in the concentration of legislative power, who believe that the best interests of the people can be served thereby better, and with due regard for and full appreciation of the charms and shrewdness of the proponents of the resolution, I can not help but believe that it is safer to trust to the judgment and integrity of 435 Members of the House representing 112,000,000 of people than to leave it to any one man or any one committee.

"We have had experience along this line in the past. It is fresh in the memory of all of us. It resulted in wreck and ruin. As you know, the day after election enough found their political carcasses outside of the breastworks to turn the power over.

"The rights and the principles for which our forefathers fought and died are as sacred to the American people to-day as they ever were. Rest assured that they are not going to yield in that respect. Our march will be onward. It will be upward. We will continue to lead all nations not only in commerce, in agriculture, and in industrial pursuits, but in honor, dignity, in morality, and everything that goes to make a nation great and grand. [Applause.]

"If I read the handwriting on the wall correctly, no autocracy or legislative subjugation for any length of time will be tolerated. Though the American people have at times submitted to autocratic rule, burdensome taxation, and inconvenience, you can put it down for a certainty that this and coming generations will ever contend for and maintain their rights. Now, as in the past, the American citizen's love for equal rights granted under the Constitution are as near and dear to him as they were to our forefathers who bled and died for them. He can at all times be counted upon true and loyal to our grand and glorious Government, with its splendid and magnificent institutions, and you may rest assured that its honor and dignity will ever be maintained.

"Patriotism, loyalty, and the principles for which our fathers fought and died are as safe to-day as they ever were. [Applause.] And any party or set of men that undertakes to interfere with them will, as in the past, forever regret it. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, of course I am in favor of the adoption of a budget plan and therefore will vote for this conference report, but I think that the people are going to be greatly disappointed in its results if Congress does not change its own legislative policy. Now, the point I want to make is that regardless of the charges we make against the executive departments of the Government as to extravagance the fact remains that most of the expenditures are of our own making and authorization. We have this afternoon adopted a measure, the soldiers' bonus bill, containing five different settlement plans, with four or five different sorts of taxation, some of these entirely new. Some Members who spoke on the bill have said that it will entail the expenditure of \$1,000,000,000 and others have said it will cost as high as \$5,000,000,000, and yet—

Mr. GARRETT. Will the gentleman yield?

Mr. BLACK. Pardon me for just a minute—yes; I will yield to the gentleman.

Mr. GARRETT. The late Secretary of the Interior stated in the hearings before the Committee on Rules during the last session of Congress that the reclamation plan which was involved in the bill just passed an hour or two ago if carried out would alone cost a minimum of \$4,000,000,000.

Mr. BLACK. And yet we adopted the bill in a great rush without an opportunity given us to even offer an amendment on the floor of the House. Now, the gentleman from Iowa [Mr. Goob] in the speech which he has just made spoke of the duplication in the departments of the Government. Practically every bit of this duplication is due to legislation which Congress itself enacts with eyes wide open and full information already at hand. Let me call attention to some duplication in the bill which we have just passed this afternoon. We have now, as Members well know, the War Risk Insurance Bureau as a department of the Treasury having charge of all the insurance business pertaining to the soldiers, and it already has a very complete organization, and yet the bill we just now passed contains a provision which provides that the Postmaster General shall do the loaning of money on the paid-up insurance policies that are provided in plan 2 of the bill for ex-service men. The Post Office Department has no insurance department and it will have to create an entirely new bureau for the work. That will be duplication and performing the identical service that should be performed by the War Risk Insurance Bureau. This is a concrete illustration of the very sort of duplication that the gentleman from Iowa made mention of in his speech, and it seems to me that Congress itself must revise its legislative policies before we are to get any economy in the Federal Government. It is always a very easy pastime to shift responsibility and blame to the shoulders of somebody else, and I have never seen anybody that was more expert at the pastime than the Congress of the United States, especially this Republican Congress. It is time we had some real economy instead of so much of the lip-service sort that we have had recently.

Mr. GOOD. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I fear my good friend from Iowa [Mr. HAUGEN] has confused this budget bill with the proposition to change the rules of the House with respect to the number of committees which will have appropriating jurisdiction. This budget bill—

Mr. HAUGEN. I paid my respects to the budget system and then referred to the proposed rule that is to follow this bill. I understand the Committee on Rules has such a rule.

Mr. BYRNS of Tennessee. Whether or not the rules are changed, the budget bill—

Mr. HAUGEN. And as stated by the gentleman from Iowa [Mr. Goob] the two went hand in hand.

Mr. BYRNS of Tennessee (continuing). Will undoubtedly serve a great purpose in enabling Congress to economize in the matter of making appropriations for the Government. I concur in what the gentleman from Iowa [Mr. Goob] has said with reference to the action of the conferees upon this bill. It was stated by a distinguished Senator at the other end of the Capitol that the report of the conferees was in every respect along the lines of the Senate bill, but I submit, as the gentleman has stated, that an analysis of the bill as reported by the conferees will show that the views which the House had in passing the House bill have been absolutely maintained and preserved. The budget bill as it passed the House was passed with the particular view of placing upon the President of the United States the responsibility for the submission of estimates to the Congress, and, in order that he might properly meet that responsibility, to provide him with a sufficient force or the proper machinery in order to make proper revision of the estimates as they come to him from the various departments. That, I say, was the chief idea of the House bill in respect to the executive budget. The Senate passed a bill in which they undertook to make the Secretary of the Treasury the head of the budget, and to place upon him, rather than upon the President, the responsibility of revising and submitting these estimates. The conferees have had many meetings, and after a very thorough discussion pro and con they finally agreed upon the plan as submitted here, and this responsibility is placed upon the President, as the House first determined.

The bill, as the result of the compromise with the Senate conferees, makes the Secretary of the Treasury the director of the budget, but the bill provides that the President shall appoint the assistant director of the budget, and the President has authority to call upon this assistant, or upon the director, the Secretary of the Treasury, if he desires, for any service that he wishes either one or both of them to perform. But the point is that the President of the United States, an elective officer

of the United States, is made responsible to Congress and to the country for the estimates as they come to Congress from the departments. Now, it has been said that the President of the United States already had that authority. Without discussing that feature of the matter, everyone knows that the President of the United States up to this time has been given absolutely no machinery with which he can carry out any responsibility that he may have along that line. But when we provide him with a bureau of the budget, when we give to him the proper force of experts, accountants, and clerks, then there can be no possible excuse on the part of the President for any estimates that he may submit to Congress.

Therefore, I anticipate when this bill gets into action we will have estimates which will come to Congress revised and reduced, with duplications eliminated, and not sent here as they were originally formed and framed, by some bureau chief, or even some chief of a division in the various departments. Now, we can not expect this law at the outset, possibly, to accomplish all that we intend, because as the years go by it will be improved, possibly, in form, if it needs to be improved. It will be improved so far as the administration and execution of the law is concerned. It is a constructive measure which is more badly needed now than ever before, because of the great expenses of the Government, and I am confident it will result in the saving of vast sums to the Government every year. The committee has worked diligently and earnestly to frame a proper law, and I wish particularly to commend the chairman of the committee [Mr. Goob] for the very able manner in which he has served the Congress and the country in this matter.

The SPEAKER. The time of the gentleman has expired. [Cries of "Vote! Vote!"]

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, I favor this bill, not because I believe it will accomplish everything claimed for it, but because I believe some good will result from it.

As my colleague [Mr. HAUGEN] has said, the workings of the budget system have been anything but satisfactory in England. In fact, there has been a perfect storm of complaint for many years by reason of the waste and extravagance created under the budget system as it prevailed there. But in the few moments allotted to me I have no time to discuss that.

I believe that this bill which we now have before us will prevent the Chief Executive from dodging responsibility with reference to the department estimates. The great influence of the President might be used to curb extravagance in the departments. It has not been so used by the present occupant of that position. Before he came into office a Republican President did use his influence to that end. Under the law that is still on the statute books he was able to control appropriations to a large extent, but it has never been followed by the present occupant of the White House. He was enabled under that law to hold down the department chiefs and cut down the estimates and force reductions in expenditures.

Now, whatever this bill may accomplish, be it more or less, it will at least fix the responsibility clearly on the President for the estimates that are sent to Congress. He will no longer be permitted to deny that he is responsible for it. If waste and extravagance are proposed in these estimates, he will be responsible, and I believe this bill will remedy the situation to some extent.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, I realize that the House is anxious to vote on this report, and I only want to say a few words. First, I wish to say that neither the country at large nor even this House itself has any proper appreciation of the enormous amount of earnest, hard work and conscientious study that have been given to this budget bill by the chairman of this committee, the gentleman from Iowa [Mr. Goob]. Notwithstanding thousands of duties as chairman of the Appropriation Committee, he especially has borne the main burden of this work. I feel that the whole country ought to have a kindly feeling for him for the energy and skill which he has exercised in bringing about the enactment of this splendid measure. [Applause.]

I do not want to disparage the work of the other members of the budget committee. We have all worked hard and are all relieved and delighted to see this final conference report adopted, because it means the enactment into law of the first great step toward a national budget system. I feared at one time that this measure was not being pressed in another body as it should be, and I submitted some inquiries and remarks on its delay, but it has been rapidly pushed since that time.

I look upon this as one of the greatest pieces of constructive legislation that we have enacted for many years. Now, if the House and Senate will only do their full duty as well as I am confident the President of the United States will do his, whoever he may be, we will be taking a great step in advance and will save hundreds of millions of dollars to the taxpayers of this country, and I know it will always be a gratification to all of us to have taken part in this splendid piece of legislation that has been talked about for so long and been needed so much.

I hope to see the Senate and House change their rules so as to make this law the efficient economy measure that we all hope and believe it will ultimately be.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. GOOD. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The gentleman from Ohio is recognized for one minute.

Mr. LONGWORTH. Mr. Speaker, I do not desire to make any ex post facto argument on the bill just passed, but statements have been made which, unless controverted, might create a misapprehension as to its details. The gentleman from Iowa [Mr. HAUGEN], as I understood him, said that if this budget were now a law the Committee on Ways and Means would not have had jurisdiction over the so-called bonus bill, because it carried an appropriation. In fact, no appropriation is carried in it.

Mr. HAUGEN. If it had not been referred to that committee, what would have become of it?

Mr. LONGWORTH. No appropriation was made. The gentleman from Tennessee [Mr. GARRETT] referred to a statement made by the Secretary of the Interior, I think, to the effect that \$4,000,000,000 would be expended on the so-called land-settlement feature. It may be true that the Secretary made that statement some time ago, but that was in relation to the so-called Lane plan. If that were true, it is not true under this bill, because the limit of \$250,000,000 was placed in it, which can not be exceeded.

Mr. GOOD. Mr. Speaker, I yield one minute to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized for one minute.

Mr. MONDELL. Mr. Speaker, I congratulate the chairman, the gentleman from Iowa [Mr. GOOD] and this Budget Committee on the result of their labors. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, the remarks are to be made only on the budget?

Mr. MONDELL. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Wyoming moves the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

USE OF ARMY COTS AND BLANKETS.

Mr. LANHAM. Mr. Speaker, I call up from the Speaker's table House joint resolution 336, with Senate amendments.

The SPEAKER. The gentleman from Texas calls up House joint resolution 336, with Senate amendments. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. LANHAM. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Texas moves to concur in the Senate amendments. The question is on agreeing to that motion.

The question was taken, and the Senate amendments were agreed to.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

Mr. SABATH. Mr. Speaker, I make the point that there is no quorum present.

Mr. GOOD. Will the gentleman withhold that for a moment?

Mr. SABATH. Yes.

ORDER OF BUSINESS.

Mr. GOOD. Mr. Speaker, I desire to state that it has been arranged that the rule for changing the rules of the House providing for one Committee on Appropriations will be reported, as I understand, on Monday morning, and it is my intention to call up that resolution immediately after the House convenes.

ELECTION OF MEMBERS OF COMMITTEES.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That JOHN W. HARRELD, Member of Congress from Oklahoma, be, and he is hereby, elected a member of standing committees of the House as follows: Public Buildings and Grounds; Pensions; and Expenditures in the War Department; and That ISAAC SIEGEL be, and he is hereby, elected chairman of the Committee on the Census.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DATE OF ADJOURNMENT OF SESSION.

Mr. MONDELL. Mr. Speaker, I want to present for the information of the House a resolution which I am placing in the basket. I ask to have that read for information.

The SPEAKER. The gentleman from Wyoming asks that there be read, for the information of the House, the following resolution, which the Clerk will report:

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock.

Mr. MONDELL. Mr. Speaker, I expect to call that up at some opportune time early next week.

DISTRIBUTION OF RAILROAD CARS.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution which I send to the Clerk's desk, and concerning which I insert the following letters:

WASHINGTON, D. C., May 28, 1920.

HON. ROSCOE C. McCULLOCH,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: On behalf of all the bituminous miners of the United States, particularly the miners of the State of Ohio, we desire to call your attention to the fact that a large number of miners and their families in every coal-mining district of Ohio are in a deplorable condition because of their lack of work, due primarily, as we understand it, to a recent order issued by the Interstate Commerce Commission which gives preferential car assignment to certain mines, making it possible for those miners to work almost continuously, while the miners employed at other mines are working, in many cases, less than 25 per cent time.

The miners, as a rule, do not measure their earnings by the amount of money that is in their pay envelope, but rather by comparison with the earnings of their neighbors, and when the men working in one mine are making \$2 more than the men working in some other mine it creates a condition of dissatisfaction and unrest at both mines. The man earning the most money is usually more dissatisfied than the fellow earning the small amount. This condition is prevalent throughout all the bituminous mining districts, and no doubt will result disastrously unless some correction is made.

The Bituminous Coal Commission, created and appointed by the President of the United States, made the recommendation in their report that the preferential car assignment be discontinued, as it was discriminatory to the mine operator and to the coal miners, as well as to the general public. The miners in accepting the award of the commission believed that this recommendation, with the other recommendations, would be complied with; and no doubt would have been had it not been for the order of the Interstate Commerce Commission to the contrary.

Our understanding of paragraph 12, section 402, of the Esch-Cummings Act is that the preferential car assignment was forever abolished, and we ask that you join with other Congressmen from our State in passing a resolution, or by some other legislative means correct the abuses as complained of above, making it so plain that the Interstate Commerce Commission will be compelled to recall the recent order.

Thanking you on behalf of all the mine workers whom we represent, we beg to remain,

Sincerely, yours,

JOHN MOORE,
President Ohio Mine Workers.

WALTER J. JAMES,
Legislative Representative United Mine Workers of America.

FEDERATED BOARDS OF TRADE OF SOUTHEASTERN OHIO,
ATHENS CHAMBER OF COMMERCE,
Athens, Ohio, May 28, 1920.

HON. ROSCOE C. McCULLOCH,
House Office Building, Washington, D. C.

DEAR SIR: Our commercial bodies wish to direct your attention to violations of the provisions of a recent act of Congress by the present management of the railroads under an order of the Interstate Commerce Commission. The violations are of paragraph 12, section 402, of the transportation act.

The practice now engaged in by the railroads in violation of this act is the inequitable distribution of cars known as the assigning of cars for the loading of railroad fuel, which cars so assigned are not being distributed to mines on the basis of each mine's ratable share of cars. Many evils result from this practice; in fact, nothing has done so much injury to the people generally in the mining regions, and nothing has caused so much discontent as the assigned-car practice. It is altogether unfair and unjust.

It gives to some of the men nearly full-time employment and pay, while others are permitted to work but one or two days per week. Much suffering as a result is inevitable. It makes all of the citizens—laborers, business men, and others—of one town or community prosperous while an adjoining town or community dependent upon mines not favored with an assigned-car supply is barely able to exist. It keeps the men constantly moving from one town to another in the hope of securing work at a mine favored by the railroads only to find perhaps after securing such employment that the railroad-fuel contract and consequently the car supply had been shifted to some other mine. Such intolerable conditions can not continue.

We happen to be located at the source of the trouble, and consequently are the first to suffer. But the suffering will soon be extended to those dependent upon us for next winter's coal supply.

In this connection we are advised that 30,000,000 tons of coal must go up by way of the Lakes to the people of the Northwest for next winter. This amount is essential to their comfort under normal winter conditions and must go during the navigation season of seven months.

Due to lack of cars, but 1,500,000 tons, or 5 per cent of this amount, have been shipped to date, whereas 6,000,000 tons, or 20 per cent of the amount, should have been shipped.

While the railroads are getting their own fuel under the assigned-car practice, they are not furnishing cars to transport the winter fuel supply of the public. Those coal cars which should be carrying the public's coal are being used for transporting automobiles and various other articles and materials which produce more revenue for the carriers than the transportation of coal would produce.

The assigned-car practice has received adverse comment by every individual and group not interested in railroad revenues who have studied the question deeply. This includes the Bituminous Coal Commission, the Railroad Administration, the Fuel Administration, and both labor and commercial organizations. A perusal of the history of the practice shows it to have been universally condemned.

The writer has interviewed personally many members of both the House and the Senate who were intimately connected with all the legislative activities leading up to the passage of the act referred to. Without one single exception or shadow of doubt in the minds of any of them, all are agreed that it was the intent of Congress in this legislation to get rid of the assigned-car practice and its many evils. A correct interpretation of the language of the act is in accord with that intent.

The Interstate Commerce Commission refuses to interpret the language of the act correctly, and therefore refuses to carry out the clear and express intent of Congress. We can be heard fairly in the matter only by you who have undertaken to remedy these evils. What is to be done?

Yours, very truly,

C. H. BAYSON, *Secretary.*

Mr. SABATH. Mr. Speaker, I make the point of no quorum present.

Mr. WINGO. I hope the gentleman will withdraw that for the present.

Mr. SABATH. All right; I withdraw it for the present.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignment of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate—

Mr. BENSON. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Maryland makes the point of no quorum. Evidently no quorum is present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p. m.) the House adjourned until Monday, May 31, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LUHRING, from the Committee on Flood Control, to which was referred the bill (H. R. 13573) to make a preliminary survey of the Wabash River in Illinois and Indiana with a view to the control of its floods, reported the same without amendment, accompanied by a report (No. 1056), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R.

13976) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1058), which said bill and report were referred to the House Calendar.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13977) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1059), which said bill and report were referred to the House Calendar.

Mr. COOPER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13978) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1060), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14159) granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River, reported the same without amendment, accompanied by a report (No. 1061), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14160) granting the consent of Congress to the county of Troup to construct a bridge across the Chattahoochee River at West Point, Ga., reported the same without amendment, accompanied by a report (No. 1062), which said bill and report were referred to the House Calendar.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (H. Con. Res. 57) that Ireland have a government of its own choice, reported the same with amendments, accompanied by a report (No. 1063), which said bill and report were referred to the House Calendar.

Mr. KINKAID, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 2702) to provide for the application of the reclamation law to irrigation districts, reported the same with amendments, accompanied by a report (No. 1065), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3329) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of a bridge across the Hudson River, in the State of New York, reported the same without amendment, accompanied by a report (No. 1066), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GRAHAM of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 13162) for the relief of the Metropolitan Lumber Co., reported the same with an amendment, accompanied by a report (No. 1057), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 14309) granting medals of honor for meritorious war service with the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 14310) to repeal the act entitled "The soldiers' and sailors' civil relief act"; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes; to the Committee on Flood Control.

By Mr. KREIDER: A bill (H. R. 14312) authorizing the Secretary of War to donate to the Millersburg Gun Club, Millersburg, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 14313) to authorize the purchase of a site, preparation of plans and specifications, and the construction of a building for use as a foreign branch station for the post office at New York, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY: A bill (H. R. 14314) to provide for the construction, improvement, and maintenance of public post roads; to the Committee on Ways and Means.

By Mr. LANGLEY: A bill (H. R. 14315) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, suffering from neuro-psychiatric and tubercular ailments and diseases, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: Joint resolution (H. J. Res. 368) to suspend the requirements of annual assessment work on mining claims during the year 1920; to the Committee on Mines and Mining.

By Mr. SIEGEL: Joint resolution (H. J. Res. 369) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

By Mr. MONDELL: Concurrent resolution (H. Con. Res. 60) providing for the adjournment of Congress on June 5, 1920, at 4 o'clock p. m.; to the Committee on Ways and Means.

By Mr. DALLINGER: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TAGUE: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. ROGERS: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. LUFKIN: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TREADWAY: Memorial of the Legislature of the State of Massachusetts, relative to compensation of Federal employees; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 14316) granting an increase of pension to Albert Young; to the Committee on Pensions.

By Mr. CARSS: A bill (H. R. 14317) granting a pension to Lourinda McIntosh Ross; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 14318) granting a pension to Daisy M. Tibbott; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 14319) granting a pension to Mary E. Taylor; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 14320) granting a pension to Naoma Dobie; to the Committee on Invalid Pensions.

By Mr. LUHRING: A bill (H. R. 14321) granting a pension to Levi C. Posey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14322) granting a pension to Louisa Lacer Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14323) granting an increase of pension to Addie Martha Blevans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14324) granting an increase of pension to Miranda Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14325) granting an increase of pension to Elbert M. Deffendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14326) granting an increase of pension to Mary L. Neville; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14327) granting an increase of pension to Catharine Conn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14328) granting an increase of pension to Phoebe E. Davis; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 14329) for the relief of Tony Troncone; to the Committee on Claims.

By Mr. MICHENER: A bill (H. R. 14330) granting a pension to Rebecca Welker; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14331) granting a pension to Orpha Conroy; to the Committee on Invalid Pensions.

By Mr. SANDERS of New York: A bill (H. R. 14332) granting a pension to Clara E. Fritcher; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14333) granting a pension to Maryelen Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14334) granting a pension to Mary B. Perkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3995. By the SPEAKER (by request): Petition of the Business Men's Association of Syracuse, favoring higher pay for postal employees; to the Committee on the Post Office and Post Roads.

3996. By Mr. BABKA: Three petitions of organizations of Cleveland, Ohio, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3997. Also, petition of sundry citizens of Cleveland, Ohio, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

3998. By Mr. CULLEN: Petition of Amalgamated Association of Iron, Steel, and Tin Workers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3999. Also, petition of Teachers' Union, of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4000. By Mr. DARROW: Petition of Typothetae of Philadelphia, Pa., urging legislation increasing salaries of postal employees; to the Committee on the Post Office and Post Roads.

4001. By Mr. EDMONDS: Petition of Philadelphia Board of Trade, favoring the passage of Senate bill 4204; to the Committee on Interstate and Foreign Commerce.

4002. By Mr. EMERSON: Petition of postal employees of Cleveland, Ohio, asking postal wage commission to report immediately to Congress; to the Committee on the Post Office and Post Roads.

4003. By Mr. FULLER of Massachusetts: Petition of H. L. Ogden, Boston, Mass., purchasing agent for 21 gas and electric lighting companies in Massachusetts, protesting against exportation of coal; to the Committee on Interstate and Foreign Commerce.

4004. By Mr. GALLIVAN: Petition of 62 residents of South Boston and Boston, Mass., favoring increases in salaries for postal employees; to the Committee on the Post Office and Post Roads.

4005. By Mr. KAHN: Petition of sundry citizens of the fourth congressional district of California, urging favorable action on House bill 10925; to the Committee on Interstate and Foreign Commerce.

4006. By Mr. LONERGAN: Petition of Capital City Lodge of International Machinists, of Hartford, Conn., for the repeal of the war-time sedition laws; to the Committee on the Judiciary.

4007. By Mr. McDUFFIE: Petition of Grand Lodge, Knights of Pythias, Montgomery, Ala., opposing the passage of House bill 12790; to the Committee on the Judiciary.

4008. By Mr. MCGLENNON: Petition of New Jersey State League of Municipalities, favoring daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

4009. Also, petition of Board of Commissioners of Jersey City, and 16 school-teachers of Kearny, N. J., favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4010. By Mr. MOONEY: Petition of National Council of Lighting Fixture Manufacturers, favoring removal of restrictions on immigration; to the Committee on Immigration and Naturalization.

4011. Also, petition of Association of Aviation Clubs of Ohio, favoring separate Air Service for Army and Navy; to the Committee on Military Affairs.

4012. Also, petition of sundry citizens of Cleveland, Ohio, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4013. Also, petition of Bakery and Confectionery Workers of Ohio, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4014. By Mr. O'CONNELL: Petition of Queens County Republican Committee and the Teachers' Union, both of New York,

favoring higher pay for postal employees; to the Committee on the Post Office and Post Roads.

4015. Also, petition of Amalgamated Association of Iron, Steel, and Tin Workers of North America, favoring amnesty to political prisoners; to the Committee on the Judiciary.

4016. Also, petition of G. E. Barton, of New York, against bonus to uninjured soldiers; to the Committee on Ways and Means.

4017. By Mr. RAKER: Petition of Waiters' Union, Local 30, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4018. Also, petition of J. T. Bradley, of Grass Valley, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4019. Also, petition of Air Reduction Sales Co., of Emeryville, Calif., protesting against Senate bill 3223 and House bill 9932; to the Committee on Patents.

4020. By Mr. SMITH of Michigan: Petition of Community Association of Charlotte, Mich., favoring increased rates on the railroads; to the Committee on Interstate and Foreign Commerce.

4021. By Mr. STINESS: Petition of Hon. J. P. Mahoney, mayor of Newport; David C. Caesar, president Newport Chamber of Commerce; H. F. Busby, secretary local No. 268, I. B. E. W., Newport; John McGrane, molders' union, Newport; O. Shea, secretary laborers' local No. 407, Newport; Oliver W. Barker, secretary local No. 15553, Newport; William P. Noonan, Newport Boilermakers' Union; James Percy, National Association of Supervisors, Narragansett Bay district; Joseph Trigueiro, secretary Machinists' Lodge No. 119, Newport; James E. Devine, local No. 703, plumbers and steamfitters, Newport; C. A. McManus, recording secretary local No. 175, sheet-metal workers and coppersmiths union, Newport; Perry B. Dawley, secretary Carpenters' District Council, Newport, all in the State of Rhode Island, protesting against the proposed elimination or reduction of the item of \$200,000 for maintenance of the naval torpedo station at Newport, R. I., as contained in the naval appropriation bill; to the Committee on Naval Affairs.

4022. By Mr. TAGUE: Petition of John N. Cole, of Boston, Mass., favoring additional Federal aid for good roads; to the Committee on Roads.

4023. Also, petition of sundry citizens of Boston, Mass., in regard to higher pay for postal employees; to the Committee on the Post Office and Post Roads.

4024. By Mr. WOODYARD: Petition of Parkersburg Soldiers' Aid, of Parkersburg, W. Va., favoring enactment of law for observance, on May 30 of each year, of the services of the soldiers and sailors of the recent war; to the Committee on Military Affairs.

SENATE.

Monday, May 31, 1920.

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

| | | | |
|-------------|--------------|------------|--------------|
| Ball | Fernald | McCumber | Sheppard |
| Beckham | France | McKellar | Shields |
| Borah | Gay | McLean | Simmons |
| Brandegee | Gerry | McNary | Smith, Ariz. |
| Calder | Hale | Nelson | Smith, Md. |
| Capper | Harding | New | Smith, S. C. |
| Chamberlain | Harris | Norris | Smoot |
| Colt | Harrison | Nugent | Spencer |
| Comer | Henderson | Page | Sutherland |
| Culberson | Hitchcock | Phipps | Thomas |
| Curtis | Jones, Wash. | Pittman | Trammell |
| Dial | Kendrick | Poindexter | Underwood |
| Dillingham | Keyes | Pomerene | Wadsworth |
| Edge | King | Ransdell | Walsh, Mass. |
| Elkins | Lodge | Reed | Walsh, Mont. |
| Fall | McCormick | Robinson | Warren |

Mr. GERRY. The Senator from Arizona [Mr. ASHURST], the junior Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], and the senior Senator from Virginia [Mr. SWANSON] are absent on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; and

S. 4431. An act to authorize the construction of a bridge across the Rock River, in Lee County, State of Illinois, at or near the city of Dixon, in said county.

The message also announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

The message also announced that the House had passed a bill (H. R. 14157) to provide adjusted compensation for veterans of the World War; to provide revenue therefor; and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the amendment of the Senate to the bill (H. R. 1309) for the relief of Perry L. Haynes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate No. 1 to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, insists upon its disagreement to the amendment of the Senate No. 1 to the bill, agrees to the further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KENNEDY of Iowa, Mr. DEMPSEY, and Mr. GALLAGHER managers at the further conference on the part of the House.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921; and

H. R. 12775. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice.

PETITIONS AND MEMORIALS.

Mr. HENDERSON. I ask unanimous consent to have printed in the RECORD a certified copy of a joint resolution adopted by the Legislature of the State of Nevada, which relates to the establishment of the Tahoe National Park, and I ask that it be referred to the Committee on Public Lands.

There being no objection, the joint resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint resolution relative to the establishment of the Tahoe National Park.

Whereas Lake Tahoe and the basin surrounding it constitute one of the scenic wonders of the world, and should be preserved for all time for the people; and

Whereas private ownership of said section has despoiled a large part of the surrounding basin and is a bar to development of the natural beauty and resources of that section; and

Whereas similar natural wonders in other sections of the country are under the control of the Federal Government, and receive better care and attention than is possible under private ownership: Therefore be it

Resolved by the Senate of the State of Nevada (the Assembly concurring), That the Congress of the United States is hereby petitioned to include Lake Tahoe and the Tahoe Basin in a national park under the control of the United States, and that copies of this resolution be sent to the Secretary of the Interior and to our Senators and Representative in Congress; be it further

Resolved, That copies of this resolution be transmitted to the president of the senate and speaker of the assembly of the State of California, and that the Legislature of the State of